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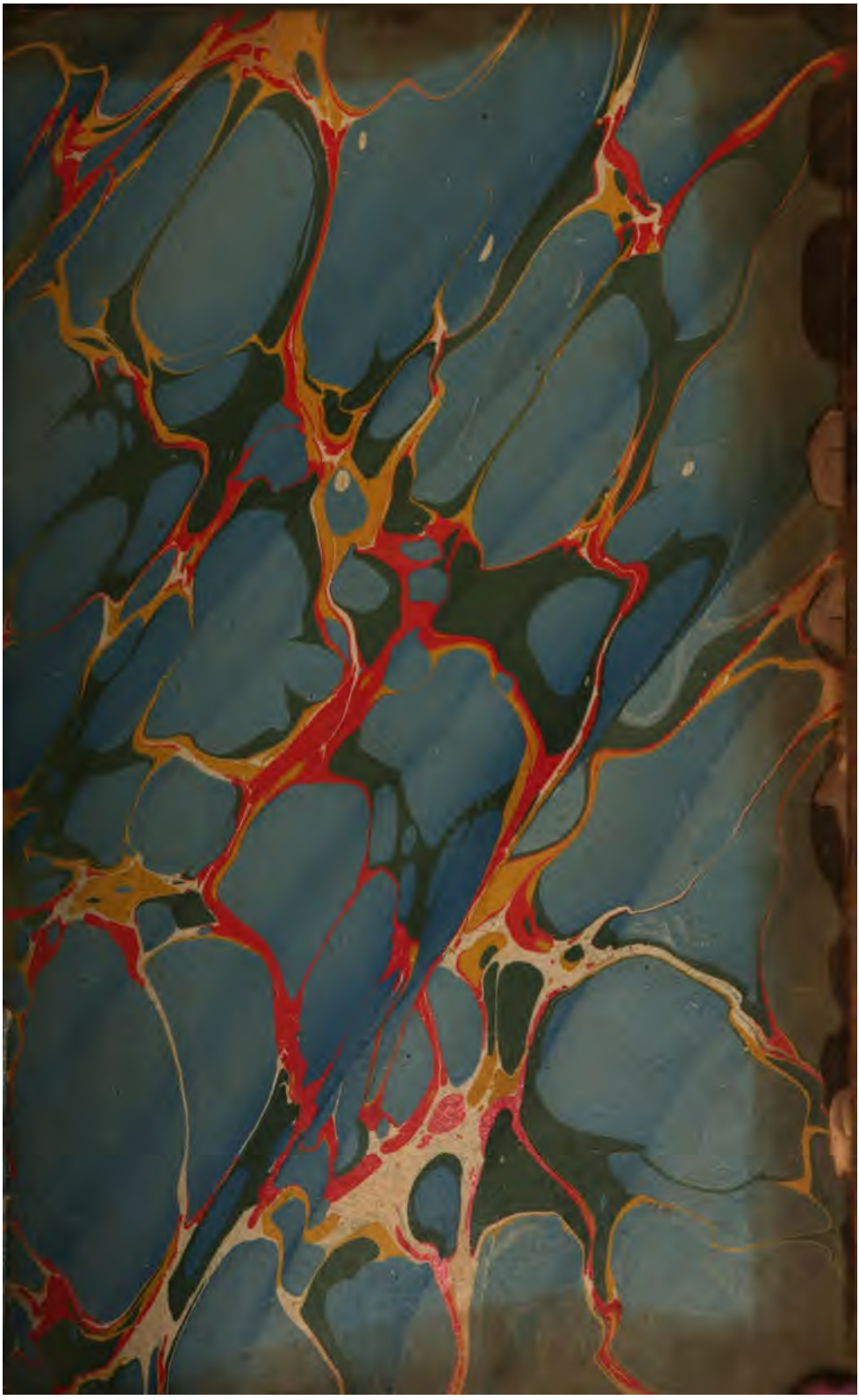

THE WORKS

OF

WILLIAM ROBERTSON, D.D.

VOL. II.

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WILLIAM ROBERTSON, D.D.

FELLOW OF THE ROYAL SOCIETY, AND PRINCIPAL OF THE UNIVERSITY, OF EDINBURGH, HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND, AND MEMBER OF THE ROYAL ACADEMY OF HISTORY AT MADRID.

TO WHICH IS PREFIXED,

AN ACCOUNT OF HIS LIFE AND WRITINGS,

BY DUGALD STEWART, F.R.S. EDIN.

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THE

HISTORY

OF

SCOTLAND.

BOOK III.

THE Lords of the Congregation soon found that their zeal had engaged them in an undertaking, which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to surrender Leith, and to depart out of the kingdom; nor were these sufficiently skilful in the art of war to reduce the place by force, or possessed of the artillery, or magazines, requisite for that purpose; and their followers, though of undaunted courage, yet, being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and soon became impatient of the severe and constant duty which a siege requires. The Queen's emissaries, who found it easy to mingle with their countrymen, were at the utmost pains to heighten their disgust, which discovered itself at first in murmurs and complaints, but, on occasion of the want of money for paying the army, broke out into open

The Congregation in difficulties.

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mutiny. The most eminent leaders were hardly secure from the unbridled insolence of the soldiers; while some of inferior rank, interposing too rashly in order to quell them, fell victims to their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The Duke, their General, sunk, with his usual timidity, under the terror of approaching danger, and discovered manifest symptoms of repentance for his rashness in espousing such a desperate cause.

Apply to Elizabeth for assistance.

In this situation of their affairs, the Congregation had recourse to Elizabeth, from whose protection they could derive their only reasonable hope of success. Some of their more sagacious leaders, having foreseen that the party might probably be involved in great difficulties, had early endeavoured to secure a resource in any such exigency, by entering into a secret correspondence with the court of England [a]. Elizabeth, aware of the dangerous designs which the Princes of Lorrain had formed against her crown, was early sensible of how much importance it would be, not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom [b]; and perceiving how effectually the present insurrections would contribute to retard or defeat the schemes formed against England, she listened with pleasure to these applications of the malcontents, and gave them private assurances of powerful support to their cause. Randolph [c], an agent extremely proper for conducting any dark intrigue, was dispatched into Scotland, and residing secretly

[a] Burn. Hist. Ref. 3. Append. 278. Keith, Append. 21.
[b] See Append. No. I. [c] Keith, Append. 29.

among the Lords of the Congregation, observed and quickened their motions. Money seemed to be the only thing they wanted at that time; and it was owing to a seasonable remittance from England [d], that the Scottish nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was distrustful of the Scots, and studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subsistence of an army, and the expenses of a siege, soon exhausted this penurious supply, to which the Lords of the Congregation could make little addition from their own funds; and the ruin and dispersion of the party must have instantly followed.

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In order to prevent this, Cockburn of Ormiston was sent, with the utmost expedition, to the governors of the town and castle of Berwick. As Berwick was at that time the town of greatest importance on the Scottish frontier, Sir Ralph Sadler and Sir James Crofts, persons of considerable figure, were employed to command there, and were entrusted with a discretionary power of supplying the Scottish malcontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns, but little to the advantage of his associates. The Earl of Bothwell, by the Queen's instigation, lay in wait for him on his return, dispersed his followers, wounded him, and carried off the money.

She sends them a small sum of money,

which is intercepted.

This unexpected disappointment proved fatal to the party. In mere despair, some of the more zealous attempted to assault Leith; but the French beat

[d] Knox, 214. Keith, Append. 44.

BOOK III. 1559.

them back with disgrace, seized their cannon, and, pursuing them to the gates of Edinburgh, were on the point of entering along with them. All the terror and confusion which the prospect of pillage or of massacre can excite in a place taken by storm, filled the city on this occasion. The inhabitants fled from the enemy by the opposite gate; the forces of the Congregation were irresolute and dismayed; and the Queen's partisans in the town openly insulted both. At last, a few of the nobles ventured to face the enemy, who, after plundering some houses in the suburbs, retired with their booty, and delivered the city from this dreadful alarm.

A second skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to intercept a convoy of provisions which was designed for Edinburgh. The Lords of the Congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restalrig and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the face of an enemy superior in number, could not long be conducted with order. A body of the enemy hung upon their rear, horse and foot fell into the utmost confusion, and it was entirely owing to the over-caution of the French, that any of the party escaped being cut in pieces.

They retire from Leith in confusion.

On this second blow, the hopes and spirits of the Congregation sunk altogether. They did not think

themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a great distance from the enemy. In vain did the Prior of St. Andrew's, and a few others, oppose this cowardly and ignominious flight. The dread of the present danger prevailed over both the sense of honour and zeal for the cause. At midnight they set out from Edinburgh in great confusion, and marched without halting till they arrived at Stirling[e]. BOOK III. 1559. Novemb. 6.

During this last insurrection, the great body of the Scottish nobility joined the Congregation. The Lords Seton and Borthwick were the only persons of rank who took arms for the Queen, and assisted her in defending Leith[f]. Bothwell openly favoured her cause, but resided at his own house. The Earl of Huntly, conformable to the crafty policy which distinguished his character, amused the leaders of the Congregation, whom he had engaged to assist, with many fair promises, but never joined them with a single man[g]. The Earl of Morton, a member of the Congregation, fluctuated in a state of irresolution, and did not act heartily for the common cause. Lord Erskine governor of Edinburgh castle, though a Protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been entrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

[e] Keith, Append. 21—45.
[f] Keith, Append. 31.
[g] Keith, Append. 33. Knox, 222.

BOOK III. 1559. Maitland revolts from the Queen-dowager.

A few days before the retreat of the Congregation, the Queen suffered an irreparable loss by the defection of her principal secretary, William Maitland of Lethington. His zeal for the reformed religion, together with his warm remonstrances against the violent measures which the Queen was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life to be in danger, withdrew secretly from Leith, and fled to the Lords of the Congregation[h]; and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and, at a time of life when his countrymen of the same quality were following the pleasures of the chase, or serving as adventurers in the armies of France, he was admitted into all the secrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in pursuing bold designs, and was no less master of that political dexterity which is necessary for carrying them on with success. But these qualities were deeply tinctured with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess; his invention, overfertile, suggested to him, on some occasions, chimerical systems of policy, too refined for the genius of his age or country; and his enterprising spirit en-

[h] Knox, 192.

gaged him in projects vast and splendid, but beyond his utmost power to execute. All the cotemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities. 1559.

The precipitate retreat of the Congregation increased to such a degree the terror and confusion which had seized the party at Edinburgh, that before the army reached Stirling it dwindled to an inconsiderable number. The spirit of Knox however still remained undaunted and erect; and having mounted the pulpit, he addressed to his desponding hearers an exhortation, which wonderfully animated and revived them. The heads of this discourse are inserted in his History[i], and afford a striking example of the boldness and freedom of reproof assumed by the first reformers, as well as a specimen of his own skill in chusing the topics most fitted to influence and rouse his audience.

The Lords of the Congregation apply again to Elizabeth.

A meeting of the leaders being called, to consider what course they should hold, now that their own resources were all exhausted, and their destruction appeared to be unavoidable without foreign aid, they turned their eyes once more to England, and resolved to implore the assistance of Elizabeth towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negotiator of the party, was employed in this embassy. In his absence, and during the inactive

[i] Knox, 193.

BOOK III. 1559.

season of the year, it was agreed to dismiss their followers, worn out by the fatigues of a campaign which had so far exceeded the usual time of service. But, in order to preserve the counties most devoted to their interest, the Prior of St. Andrew's, with part of the leaders, retired into Fife. The Duke of Chatelherault, with the rest, fixed his residence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French counsels, and the progress of their arms in Scotland, with great concern; and as she well foresaw the dangerous tendency of their schemes in that kingdom, she had already come to a resolution with regard to the part she herself would act, if their power there should grow still more formidable.

Motives which determined her to assist them.

In order to give the Queen and her privy council a full and distinct view of any important matter which might come before them, it seems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, and submitted by the Queen to the consideration of her privy council, still remain[k]; they are entitled, "A short discussion of the weighty matter of Scotland," and

[k] Burn. vol. iii. Append. 283. Forbes, i. 387, c. Keith, Append. 24.

do honour to the industry and penetration of that great minister. The motives which determined the Queen to espouse so warmly the defence of the Congregation, are represented with perspicuity and force; and the consequences of suffering the French to establish themselves in Scotland, are predicted with great accuracy and discernment. BOOK III. 1559.

He lays it down as a principle, agreeably to the laws both of God and of nature, that every society hath a right to defend itself, not only from present dangers, but from such as may probably ensue; to which he adds, that nature and reason teach every prince to defend himself by the same means which his adversaries employ to distress him. Upon these grounds he establishes the right of England to interpose in the affairs of Scotland, and to prevent the conquest of that kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or sincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by present necessity, would be negligently observed, and broken on the slightest pretences. In a very short time, France would recover its former opulence; and though now drained of men and money by a tedious and unsuccessful war, it would quickly be in a condition for acting, and the restless and martial genius of the people would render action necessary. The Princes of Lorrain, who at that time had the entire direction of French affairs, were animated

BOOK III. 1559.

with the most virulent hatred against the English nation. They openly called in question the legitimacy of the Queen's birth, and, by advancing the title and pretensions of their niece the Queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambresis, and endeavoured to conclude a separate peace with Spain. They had persuaded Henry II. to permit his daughter-in-law to assume the title and arms of Queen of England; and even since the conclusion of the peace, they had solicited at Rome, and obtained, a bull, declaring Elizabeth's birth to be illegitimate. Though the wisdom and moderation of the constable Montmorency had for some time checked their career, yet these restraints being now removed by the death of Henry II. and the disgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with sovereign power. Scotland is the quarter where they can attack England with most advantage. A war on the borders of that country, exposes France to no danger; but one unsuccessful action there may hazard the crown, and overturn the government, of England. In political conduct, it is childish to wait till the designs of an enemy be ripe for execution. The Scottish nobles, after their utmost efforts, have been obliged to quit the field; and, far from expelling the invaders of their liberties, they behold the French power daily increasing, and must at last cease from struggling any longer in a contest so unequal. The invading of England will immediately follow the reduction of the Scot-

tish malcontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expose it to the calamities of war, and the danger of conquest. Nothing therefore remained but to meet the enemy while yet at a distance from England, and, by supporting the Congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the Princes of Lorrain in their infancy, and, by such an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the consideration of an English monarch, wisdom and mature counsel were necessary in the first place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by losing a single moment, might become unavoidable[1]. BOOK III. 1559.

These arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these motives she had acted, in granting the Congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly dispatched into Scotland with the strongest assurances of her protection, and the Lords of the Con-

[1] The arguments which the Scots employed, in order to obtain Elizabeth's assistance, are urged with great force in a paper of Maitland's. See Append. No. II.

BOOK III. 1559.

gregation were desired to send Commissioners into England to conclude a treaty, and to settle the operations of the campaign with the Duke of Norfolk[m].

The Queen-dowager meanwhile sends her French troops against them.

Meanwhile the Queen Regent, from whom no motion of the Congregation could long be concealed, dreaded the success of this negotiation with the court of England, and foresaw how little she would be able to resist the united efforts of the two kingdoms. For this reason she determined, if possible, to get the start of Elizabeth; and by venturing, notwithstanding the inclemency of the winter season, to attack the malcontents in their present dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A considerable body of her French forces, who were augmented about this time by the arrival of the Count de Martigues, with a thousand veteran foot, and some cavalry, were commanded to march to Stirling. Having there crossed the Forth, they proceeded along the coast of Fife, destroying and plundering, with excessive outrage, the houses and lands of those whom they deemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the Congregation, who had hitherto drawn from thence their most considerable supplies, both of men and provisions; and therefore, besides punishing the disaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave in it a garrison sufficient to bridle the muti-

[m] Keith, 114. Rymer, xv. p. 569.

nous spirit of the province, and to keep possession of a port situated on the main ocean[n]. BOOK III.

But on this occasion, the Prior of St. Andrew's, Lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the Congregation, performed, by their bravery and good conduct, a service of the utmost importance to their party. Having assembled six hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harassed them with perpetual alarms, that they prevented them for more than three weeks from advancing[o]. 1559.

At last the Prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrew's. They had advanced but a few miles, when, from an eminence, they descried a powerful fleet steering its course up the Frith of Forth. As they knew that the Marquis D'Elbeuf was at that time preparing to sail for Scotland with a numerous army, they hastily concluded that these ships belonged to them, and gave way to the most immoderate transports of joy, on the prospect of this long-expected succour. Their great guns were already fired to welcome their friends, and to spread the tidings and terror of their arrival among their enemies, when a small boat from the opposite coast landed, and blasted their premature and short-lived triumph, by informing them that it was the fleet of England which was in sight, intended for the aid 1560. Jan. 23.

[n] Haynes, 221, &c. [o] Knox, 202.

BOOK III.

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of the Congregation, and was soon to be followed by a formidable land army[p].

The English fleet arrives to their assistance.

Throughout her whole reign, Elizabeth was cautious, but decisive; and, by her promptitude in executing her resolutions, joined to the deliberation with which she formed them, her administration became remarkable no less for its vigour than for its wisdom. No sooner did she determine to afford her protection to the Lords of the Congregation, than they experienced the activity, as well as the extent of her power. The season of the year would not permit her land army to take the field; but lest the French should, in the mean time, receive new reinforcements, she instantly ordered a strong squadron to cruize in the Frith of Forth. She seems, by her instructions to Winter her Admiral, to have been desirous of preserving the appearances of friendship towards the French[q]. But these were only appearances; if any French fleet should attempt to land, he was commanded to prevent it by every act of hostility and violence. It was the sight of this squadron, which occasioned at first so much joy among the French, but which soon inspired them with such terror, as saved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful season, and through roads almost impassable, arrived at Leith, harassed and exhausted with fatigue[r].

The English fleet cast anchor in the road of Leith,

[p] Knox, 203. [q] Keith, Appendix, 45. Haynes, 231.
[r] Knox, 203.

and continuing in that station till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and considerably facilitated the operations of their own forces by land.

They conclude a treaty with England, Feb. 27.

Soon after the arrival of the English squadron, the Commissioners of the Congregation repaired to Berwick, and concluded with the Duke of Norfolk a treaty, the bond of that union with Elizabeth, which was of so great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland, was the professed design of the contracting parties. In order to this, the Scots engaged never to suffer any closer union of their country with France; and to defend themselves to the uttermost against all attempts of conquest. Elizabeth, on her part, promised to employ in Scotland a powerful army for their assistance, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the English; whatever should be taken from the enemy was either to be rased, or kept by the Scots, at their choice; if any invasion should be made upon England, the Scots were obliged to assist Elizabeth with part of their forces; and, to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth, before the march of her army into Scotland: in conclusion, the Scots made many protestations of obedience and loyalty towards their own Queen, in every thing not inconsistent with their religion, and the liberties of their country[s].

[s] Knox, 217. Haynes, 253, &c.

BOOK III. 1560.

The English army, consisting of six thousand foot and two thousand horse, under the command of Lord Gray of Wilton, entered Scotland early in the spring. The members of the Congregation assembled from all parts of the kingdom to meet their new allies; and having joined them, with great multitudes of their followers, they advanced together towards Leith. The French were little able to keep the field against an enemy so much superior in number. A strong body of troops, destined for their relief, had been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom[t]. But they hoped to be able to defend Leith, till the Princes of Lorrain should make good the magnificent promises of assistance with which they daily encouraged them; or till scarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous, precaution for distressing an invading enemy, by burning and laying waste all the adjacent country[u]. The zeal, however, of the nation frustrated their intentions: eager to contribute towards removing their oppressors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary; and, far from wanting subsistence, the English found in their camp all sorts of provisions at a cheaper rate than had for some time been known in that part of the kingdom[x].

The English army lays siege to Leith, April 2.

[t] Mem. de Castel. 450. [u] Knox, 225. [x] Id. ibid.

On the approach of the English army, the Queen Regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a siege, she committed herself to the protection of Lord Erskine. This nobleman still preserved his neutrality, and by his integrity, and love of his country, merited equally the esteem of both parties. He received the Queen herself with the utmost honour and respect, but took care to admit no such retinue as might endanger his command of the castle[y]. BOOK III. 1560.

A few days after they arrived in Scotland, the English invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before it, and by an obstinate defence protracted the siege to a great length. The circumstances of this siege, related by contemporary historians, men without knowledge or experience in the art of war, are often obscure and imperfect, and at this distance of time are not considerable enough to be entertaining. April 6.

At first the French endeavoured to keep possession of the Hawk Hill, a rising ground not far distant from the town, but were beat from it with great slaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge; having sallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least April 15.

[y] Forbes's Collect. vol. i. 503. Keith, 122.

BOOK III. 1560. double the number they had lost in the former skirmish. Nor were the English more fortunate in an attempt which they made to take the place by assault; they were met with equal courage, and repulsed with considerable loss. From the detail of these circumstances by the writers of that age, it is easy to observe the different characters of the French and English troops. The former, trained to war during the active reigns of Francis I. and Henry II., defended themselves not only with the bravery but with the skill of veterans. The latter, who had been more accustomed to peace, still preserved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius, or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errors in conduct. The success of the besieged in their sally was owing entirely to the security and negligence of the English; many of their officers were absent; their soldiers had left their stations; and their trenches were almost without a guard[z]. The ladders, which had been provided for the assault, wanted a great deal of the necessary length; and the troops employed in that service were ill supported. The trenches were opened at first in an improper place; and as it was found expedient to change the ground, both time and labour were lost. The inability of their own generals, no less than the strength of the French garrison, rendered the progress of the English wonderfully slow. The long continuance, however, of the siege, and

May 7.

[z] Haynes, 294. 298. 305, &c.

the loss of part of their magazines by an accidental fire, reduced the French to extreme distress for want of provisions, which the prospect of relief made them bear with admirable fortitude. BOOK III. 1560.

While the hopes and courage of the French protracted the siege so far beyond expectation, the leaders of the Congregation were not idle. By new associations and confederacies, they laboured to unite their party more perfectly. By publicly ratifying the treaty concluded at Berwick, they endeavoured to render the alliance with England firm and indissoluble. Among the subscribers of these papers we find the Earl of Huntly, and some others, who had not hitherto concurred with the Congregation in any of their measures[a]. Several of these Lords, particularly the Earl of Huntly, still adhered to the popish church; but, on this occasion, neither their religious sentiments, nor their former cautious maxims, were regarded; the torrent of national resentment and indignation against the French hurried them on[b].

[a] Burn. vol. iii. 287. Knox, 221. Haynes, 261. 263.

[b] The dread of the French power did on many occasions surmount the zeal which the Catholic nobles had for their religion. Besides the presumptive evidence for this, arising from the memorial mentioned by Burnet, Hist. of the Reformation, vol. iii. 281. and published by him, App. p. 278., the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papists thought the alliance with England to be necessary for preserving the liberty and independence of the kingdom. Keith, 158. Huntly himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261, 263. See Append. No. III.

BOOK III.

1560.

Death and character of the Queen Dowager. June 10.

The Queen Regent, the instrument, rather than the cause of involving Scotland in those calamities under which it groaned at that time, died during the heat of the siege. No Princess ever possessed qualities more capable of rendering her administration illustrious, or the kingdom happy. Of much discernment, and no less address; of great intrepidity and equal prudence; gentle and humane, without weakness; zealous for her religion, without bigotry; a lover of justice, without rigour. One circumstance, however, and that too the excess of a virtue, rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the Princes of Lorrain, her brothers, with most passionate fondness, she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many examples of falsehood, and some of severity, in the latter part of her administration, alienated from her the affections of a people who had once placed in her an unbounded confidence. But, even by her enemies, these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her the praise of prudence and of lenity[c]. A few days before her

[c] Buchanan, 324.

death, she desired an interview with the Prior of St. Andrew's, the Earl of Argyll, and other chiefs of the Congregation. To them she lamented the fatal issue of those violent counsels which she had been obliged to follow; and, with the candour natural to a generous mind, confessed the errors of her own administration, and begged forgiveness of those to whom they had been hurtful; but at the same time she warned them, amidst their struggles for liberty and the shock of arms, not to lose sight of the loyalty and subjection which were due to their sovereign[d]. The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention[e], and prepared for the approach of death with a decent fortitude. BOOK III. 1560.

Motives of the French to conclude a peace.

Nothing could now save the French troops shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent. The Princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and their courage; but, at last, the situation of France, rather than the terror of the English arms, or the remonstrances of the Scottish malcontents, constrained them, though with reluctance, to turn their thoughts towards pacific councils. The Protestants in France were at that time a party formidable by their number, and more by the valour and enter-

[d] Lesley, de Rebus Gest. Scot. 222. [e] Knox, 228.

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prising genius of their leaders. Francis II. had treated them with extreme rigour, and discovered, by every step he took, a settled resolution to extirpate their religion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the Protestants were alarmed, but not terrified. Animated with zeal, and inflamed with resentment, they not only prepared for their own defence, but resolved, by some bold action, to anticipate the schemes of their enemies; and as the Princes of Lorrain were deemed the authors of all the King's violent measures, they marked them out to be the first victims of their indignation.

March 15. Hence, and not from disloyalty to the King, proceeded the famous conspiracy of Amboise; and though the vigilance and good fortune of the Princes of Lorrain discovered and disappointed that design, it was easy to observe new storms gathering in every province of the kingdom, and ready to burst out with all the fury and outrage of civil war. In this situation, the ambition of the house of Lorrain was called off from the thoughts of foreign conquests, to defend the honour and dignity of the French crown; and, instead of sending new reinforcements into Scotland, it became necessary to withdraw the veteran troops already employed in that kingdom [f].

The negotiations for that purpose.

In order to conduct an affair of so much importance and delicacy, the Princes of Lorrain made choice of Monluc, Bishop of Valence, and of the Sieur de Randan. As both these, especially the

[f] Lesley, 224.

former, were reckoned inferior to no persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities; Cecil, her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton Dean of Canterbury, grown old in the art of negotiating under three successive monarchs. The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily consented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and England were not matters of tedious or of difficult discussion. BOOK III. 1560.

The grievances of the Congregation, and their demands upon their own sovereigns for redress, employed longer time, and required to be treated with a more delicate hand. After so many open attempts, carried on by command of the King and Queen, in order to overturn the ancient constitution, and to suppress the religion which they had embraced, the Scottish nobles could not think themselves secure without fixing some new barrier against the future encroachments of regal power. But the legal steps towards accomplishing this were not so obvious. The French ambassadors considered the entering into any treaty with subjects, and with rebels, as a condescension unsuitable to the dignity of a sovereign; and their scruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not suggested an expedient, which seemed to provide for the security of the subject, without derogating from the

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honour of the Prince. The Scottish nobles agreed, on this occasion, to pass from the point of right and privilege, and to accept the redress of their grievances as a matter of favour. Whatever additional security their anxiety for personal safety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And, lest concessions of this kind should seem precarious, and liable to be retracted by the same power which had made them, the French ambassador agreed to insert them in the treaty with Elizabeth, and thereby to bind the King and Queen inviolably to observe them[g].

In relating this transaction, contemporary historians have confounded the concessions of Francis and Mary to their Scottish subjects, with the treaty between France and England; the latter, besides the ratification of former treaties between the two kingdoms, and stipulations with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the source of many important events, we shall often have occasion to refer. The right of Elizabeth to her crown is thereby acknowledged in the strongest terms; and Francis and Mary solemnly engaged neither to assume the title nor to bear the arms of King and Queen of England in any time to come[h].

July 6. Honourable as this article was for Elizabeth herself, the conditions she obtained for her allies the

[g] Keith, 134, &c.

[h] Keith, 134. Rymer, xv. p. 581. 591, &c. Haynes, 325—364.

Scots were no less advantageous to them. Monlúc and Randan consented, in the name of Francis and Mary, that the French forces in Scotland should instantly be sent back into their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and consent of Parliament; that the fortifications of Leith and Dunbar should immediately be rased, and no new fort be erected without the permission of Parliament; that a Parliament should be held on the first day of August, and that assembly be deemed as valid in all respects as if it had been called by the express commandment of the King and Queen; that, conformable to the ancient laws and customs of the country, the King and Queen should not declare war or conclude peace without the concurrence of Parliament; that, during the Queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty-four named by Parliament, seven of which council to be elected by the Queen, and five by the Parliament; that hereafter the King and Queen should not advance foreigners to places of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues upon any ecclesiastic; that an act of oblivion, abolishing the guilt and memory of all offences committed since the sixth of March one thousand five hundred and fifty-eight, should be passed in the ensuing Parliament, and be ratified by the King and Queen; that the King and Queen should not, under the colour of punishing any violation of their authority during that period, seek to deprive any of their subjects of

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the offices, benefices, or estates, which they now held; that the redress due to churchmen, for the injuries which they had sustained during the late insurrections, should be left entirely to the cognizance of Parliament. With regard to religious controversies, the ambassadors declared that they would not presume to decide, but permitted the Parliament, at their first meeting, to examine the points in difference, and to represent their sense of them to the King and Queen [1].

The effects of it.

To such a memorable period did the Lords of the Congregation, by their courage and perseverance, conduct an enterprise which at first promised a very different issue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and, being favoured by many fortunate incidents, baffled all the efforts of their own Queen, aided by the forces of a more considerable kingdom. The sovereign authority was by this treaty transferred wholly into the hands of the Congregation; that limited prerogative which the crown had hitherto possessed, was almost entirely annihilated; and the aristocratical power, which always predominated in the Scottish government, became supreme and incontrolable. By this treaty, too, the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminished; and not only were the present encroachments of that ambitious ally restrained, but, by confederating with England, protection was provided against any future attempt from the same

[1] Keith, 137, &c.

quarter. At the same time, the controversies in religion being left to the consideration of Parliament, the Protestants might reckon upon obtaining whatever decision was most favourable to the opinions which they professed. BOOK III. 1560.

A few days after the conclusion of the treaty, both the French and English armies quitted Scotland.

A Parliament held.

The eyes of every man in that kingdom were turned towards the approaching Parliament. A meeting, summoned in a manner so extraordinary, at such a critical juncture, and to deliberate upon matters of so much consequence, was expected with the utmost anxiety.

A Scottish Parliament suitable to the aristocratical genius of the government, was properly an assembly of the nobles. It was composed of bishops, abbots, barons, and a few commissioners of boroughs, who met all together in one house. The lesser barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised it. The expense of attending, according to the fashion of the times, with a numerous train of vassals and dependants; the inattention of a martial age to the forms and detail of civil government; but, above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of so little value as to be almost neglected. It appears from the ancient rolls, that, during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in Parliament. The ordinary administration of government was aban-

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doned, without scruple or jealousy, to the King and to the greater barons. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to an height, the burgesses and lesser barons were roused from their inactivity, and stood forth to vindicate the rights of their country. The turbulent reign of James III. affords examples in proof of this observation[k]. The public indignation against the rash designs of that weak and ill-advised Prince, brought into Parliament, besides the greater nobles and prelates, a considerable number of the lesser barons.

The same causes occasioned the unusual confluence of all orders of men to the Parliament, which met on the first of August. The universal passion for liberty, civil and religious, which had seized the nation, suffered few persons to remain unconcerned spectators of an assembly, whose acts were likely to prove decisive with respect to both. From all corners of the kingdom men flocked in, eager and determined to aid, with their voices in the senate, the same cause which they had defended with their swords in the field. Besides a full convention of peers, temporal and spiritual, there appeared the representatives of almost all the boroughs, and above an hundred barons, who, though of the lesser order, were gentlemen of the first rank and fortune in the nation[l].

The Parliament was ready to enter on business with the utmost zeal, when a difficulty was started

[k] Keith, 147. [l] Id. 146.

concerning the lawfulness of the meeting. No commissioner appeared in the name of the King and Queen, and no signification of their consent and approbation was yet received. These were deemed by many essential to the very being of a Parliament. But in opposition to this sentiment, the express words of the treaty of Edinburgh were urged, by which this assembly was declared to be as valid, in all respects, as if it had been called and appointed by the express command of the King and Queen. As the adherents of the Congregation greatly outnumbered their adversaries, the latter opinion prevailed. Their boldest leaders, and those of most approved zeal, were chosen to be lords of the articles, who formed a committee of ancient use and of great importance in the Scottish Parliament[m]. The deliberations of the lords of the articles were carried on with the most unanimous and active zeal. The act of oblivion, the nomination of twenty-four persons, out of whom the council, intrusted with supreme authority, was to be elected; and every other thing prescribed by the late treaty, or which seemed necessary to render it effectual, passed without dispute or delay. The article of religion employed longer time, and was attended with greater difficulty. It was brought into Parliament by a petition from those who adopted the principles of the Reformation. Many doctrines of the popish church

Its proceedings with regard to religion;

[m] From an original letter of Hamilton, Archbishop of St. Andrew's, it appears, that the lords of articles were chosen in the manner afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spottiswood seems to consider this to have been the common practice. Hist. 149.

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were a contradiction to reason, and a disgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and ill-applied. Against all these the Protestants remonstrated with the utmost asperity of style, which indignation at their absurdity, or experience of their pernicious tendency, could inspire; and, encouraged by the number as well as zeal of their friends, to improve such a favourable juncture, they aimed the blow at the whole fabric of popery; and besought the Parliament to interpose its authority for rectifying these multiplied abuses[n].

Several prelates, zealously attached to the ancient superstition, were present in this Parliament. But, during these vigorous proceedings of the Protestants, they stood confounded and at gaze; and persevered in a silence which was fatal to their cause. They deemed it impossible to resist or divert that torrent of religious zeal, which was still in its full strength; they dreaded that their opposition would irritate their adversaries and excite them to new acts of violence; they hoped that the King and Queen would soon be at leisure to put a stop to the career of their insolent subjects, and that, after the rage and havoc of the present storm, the former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to sacrifice the doctrine, and even the power of the church, in order to ensure the safety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives

[n] Knox, 237.

they acted, their silence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the Protestants, and encouraged them to proceed with more boldness and alacrity[o]. 1560.

The Parliament did not think it enough to condemn those doctrines mentioned in the petition of the Protestants; they moreover gave the sanction of their approbation to a Confession of Faith presented to them by the reformed teachers[p]; and composed, as might be expected from such a performance at that juncture, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclesiastical courts was abolished, and the causes which formerly came under their cognizance were transferred to the decision of civil judges[q]. By a third statute, the exercise of religious worship, according to the rites of the Romish church, was prohibited. The manner in which the Parliament enforced the observation of this law discovers the zeal of that assembly; the first transgression subjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of the second violation of the law; and a third act of disobedience was declared to be capital[r]. Such strangers were men at that time to the spirit of toleration, and to the laws of humanity; and with such indecent haste did the very persons who had just escaped the rigour of ecclesiastical tyranny, proceed to imitate those examples of se-

[o] Knox, 253.
[p] Id. ibid.
[q] Keith, 152.
[r] Knox, 254.

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verity of which they themselves had so justly complained.

1560. with regard to the revenues of the church.

The vigorous zeal of the Parliament overturned in a few days the ancient system of religion, which had been established so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himself. But their proceedings with respect to these, were not more rapid and impetuous, than they were slow and dilatory when they entered on the consideration of ecclesiastical revenues. Among the lay members, some were already enriched with the spoils of the church, and others devoured in expectation the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the dignified ecclesiastics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they instantly dispersed all over the kingdom, and commonly betook themselves to some secular employment. The abbot, if he had been so fortunate as to embrace the principles of the Reformation from conviction, or so cunning as to espouse them out of policy, seized the whole revenues of the fraternity; and, except what he allowed for the subsistence of a few superannuated monks[s], applied them entirely to his own use. The proposal made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded

[s] Keith, 496. Append. 190, 191.

by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority easily prevailed on the Parliament to give no ear to such a disagreeable demand[t]. Zealous as the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with amazement and sorrow; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more generous concern for the success of religion and the honour of its ministers[u]. 1560.

The validity of this parliament called in question.

A difficulty hath been started with regard to the acts of this parliament concerning religion. This difficulty, which at such a distance of time is of no importance, was founded on the words of the treaty of Edinburgh. By that, the parliament were permitted to take into consideration the state of religion, and to signify their sentiments of it to the King and Queen. But, instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the parliament converted them into so many acts; which, although they never received the royal assent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these

[t] See Append. No. IV.

[u] Knox, 239, 256.

BOOK III. 1560. acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By those proceedings, it must, however, be confessed, that the parliament, or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers which belong to subjects. But when once men have been accustomed to break through the common boundaries of subjection, and their minds are inflamed with the passions which civil war inspires, it is mere pedantry or ignorance to measure their conduct by those rules, which can be applied only where government is in a state of order and tranquillity. A nation, when obliged to employ such extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, as well as the importance of the object, justify any departure from the common and established rules of the constitution.

Ambassadors sent by the parliament to France,

In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the King and Queen. For this purpose, Sir James Sandilands of Calder Lord St. John was appointed to repair to the court of France. After holding a course so irregular, the leaders of the Congregation had no reason to flatter themselves that Francis and Mary would ever approve their conduct, or confirm it by their royal assent. The reception of their ambassador was no other than they might have expected. He was treated by the King and Queen with the utmost coldness, and dismissed

without obtaining the ratification of the parliament's proceedings. From the Princes of Lorrain, and their partizans, he endured all the scorn and insult which it was natural for them to pour upon the party he represented [x]. BOOK III. 1560.

Though the Earls of Morton, Glencairn, and Maitland of Lethington, the ambassadors of the parliament, to Elizabeth their protectress, met with a very different reception; they were not more successful in one part of the negotiation entrusted to their care. The Scots, sensible of the security which they derived from their union with England, were desirous of rendering it indissoluble. With this view they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that seasonable and effectual aid which she had afforded them, and at the same time to beseech her to render the friendship between the nations perpetual, by condescending to marry the Earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown. and to Elizabeth.

To the former part of this commission Elizabeth listened with the utmost satisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices; with regard to the latter, she discovered those sentiments to which she adhered throughout her whole reign. Averse from marriage, as some maintain through choice, but more probably out of policy, that ambitious

[x] Knox, 255. Buch. 327. State Papers published by Lord Hardwicke, vol. i. p. 125, &c.

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Princess would never admit any partner to the throne; but delighted with the entire and uncontrolled exercise of power, she sacrificed to the enjoyment of that, the hopes of transmitting her crown to her own posterity. The marriage with the Earl of Arran could not be attended with any such extraordinary advantage, as to shake this resolution; she declined it therefore, but with many expressions of good-will towards the Scottish nation, and of respect for Arran himself [y].

The death of Francis II.

Towards the conclusion of this year, distinguished by so many remarkable events, there happened one of great importance. On the fourth of December died Francis II. a Prince of a feeble constitution, and of a mean understanding. As he did not leave any issue by the Queen, no incident could have been more fortunate to those who, during the late commotions in Scotland, had taken part with the Congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and as she transferred all her influence to her uncles the Princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malcontents with apprehensions of danger no less formidable than well founded. The intestine disorders which raged in France, and the seasonable interposition of England in behalf of the Congregation, had hitherto prevented the Princes of Lorrain from carrying their designs upon Scotland into execution. But, under their vigorous

[y] Burn. 3. Append. 308. Keith, 154, &c.

and decisive administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the resentment of the French court could inflict. The blow, however long suspended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and by this event the chief bond of union which remained was dissolved. Catherine of Medicis, who during the minority of Charles IX. her second son engrossed the entire direction of the French councils, was far from any thoughts of vindicating the Scottish Queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and unexperienced Prince; but as the charms of the wife easily triumphed over the authority of the mother, Catherine could never forgive such a disappointment in her favourite passion, and beheld now, with secret pleasure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the sorrow which so sad a reverse of fortune could occasion; slighted by the Queen-mother[z]; and forsaken by the tribe of courtiers, who appear only in the sunshine of prosperity, retired to Rheims, and

Mary retires from the court of France.

[z] Henault, 340. Casteln. 454.

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there in solitude indulged her grief, or hid her indignation. Even the Princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and, instead of forming vast projects with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration.

It is impossible to describe the emotions of joy which, on all these accounts, the death of the French Monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder contemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can secure the peace and happiness of kingdoms, in those situations where human prudence and invention would utterly despair[a].

Establishment of Presbyterian church government.

About this time the Protestant church of Scotland began to assume a regular form. Its principles had obtained the sanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant society. The model introduced by the reformers differed extremely from that which had been long established. The motives which induced them to depart so far from the ancient system deserve to be explained.

The licentious lives of the clergy, as has been already observed, seem to have been among the first things that excited any suspicion concerning the truth of the doctrines which they taught, and roused

[a] Knox, 259.

that spirit of inquiry which proved fatal to the popish system. As this disgust at the vices of ecclesiastics was soon transferred to their persons, and shifting from them, by no violent transition, settled at last upon the offices which they enjoyed; the effects of the Reformation would naturally have extended not only to the doctrine, but to the form of government in the popish church; and the same spirit which abolished the former, would have overturned the latter. But in the arrangements which took place in the different kingdoms and states of Europe in consequence of the Reformation, we may observe something similar to what happened upon the first establishment of Christianity in the Roman empire. In both periods, the form of ecclesiastical policy was modelled, in some measure, upon that of the civil government. When the Christian church was patronised and established by the state, the jurisdiction of the various orders of the ecclesiastics, distinguished by the names of Patriarchs, Archbishops, and Bishops, was made to correspond with the various divisions of the empire; and the ecclesiastic of chief eminence in each of these possessed authority, more or less extensive, in proportion to that of the civil magistrate who presided over the same district. When the Reformation took place, the episcopal form of government, with its various ranks and degrees of subordination, appearing to be most consistent with the genius of monarchy, it was continued, with a few limitations, in several provinces of Germany, in England, and in the northern kingdoms. But in Switzerland and some parts of the Low Countries, where the popular form of govern- 1560.

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ment allowed more full scope to the innovating genius of the Reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. As the model of episcopal government was copied from that of the Christian church as established in the Roman empire, the situation of the primitive church, prior to its establishment by civil authority, seems to have suggested the idea, and furnished the model of the latter system, which has since been denominated *Presbyterian*. The first Christians, oppressed by continual persecutions, and obliged to hold their religious assemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the sense of danger, in extinguishing among them the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among many Protestants of that age with incredible submission, was the patron and restorer of this scheme of ecclesiastical policy. The church of Geneva, formed under his eye and by his direction, was deemed the most perfect model of this government; and Knox, who, during his residence in that city, had studied and admired it, warmly recommended it to the imitation of his countrymen.

Among the Scottish nobility, some hated the persons, and others coveted the wealth, of the dignified clergy. By abolishing that order of men, the former indulged their resentment, and the latter hoped to gratify their avarice. The people, inflamed with

the most violent aversion to popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a system so admirably suited to their predominant passion: while the friends of civil liberty beheld with pleasure the Protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with so much art and industry; and flattered themselves that, by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests and passions, for its reception. BOOK III. 1560.

But, on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form[b]. Instead of bishops, he proposed to establish ten or twelve superintendents in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inferior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to sacred things only; they claimed no seat in parliament, and pretended no right to the dignity or revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of

[b] Spotswood, 158.

BOOK III. 1560. the Reformation at different times, and from various motives; during the public commotions, they were scattered, merely by chance, over the different provinces of the kingdom, and in a few places only were formed into regular classes or societies. The first general assembly of the church, which was held this year, bears all the marks of an infant and unformed society. The members were but few in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of the kingdom no representatives appeared. In the name of some entire counties, but one person was present; while in other places, a single town or church sent several members. A convention so feeble and irregular, could not possess extensive authority; and, conscious of their own weakness, the members put an end to their debates, without venturing upon any decision of much importance[c].

Dec. 20.

In order to give greater strength and consistence to the Presbyterian plan, Knox, with the assistance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy[d]. They presented it to a convention of estates, which was held in the beginning of this year. Whatever regulations were proposed with regard to ecclesiastical discipline and jurisdiction, would have easily obtained the sanction of that assembly; but a design to recover the patrimony of the church, which is there insinuated, met with a very different reception.

1561. Jan. 15.

In vain did the clergy display the advantages which

[c] Keith, 498. [d] Spots. 152.

would accrue to the public by a proper application of ecclesiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a sacred use. The nobles held fast the prey which they had seized; and, bestowing upon the proposal the name of a *devout imagination*, they affected to consider it as a project altogether visionary, and treated it with the utmost scorn [e]. BOOK III. 1561.

This convention appointed the Prior of St. Andrew's to repair to the Queen, and to invite her to return into her native country, and to assume the reins of government, which had been too long committed to other hands. Though some of her subjects dreaded her return, and others foresaw dangerous consequences with which it might be attended [f], the bulk of them desired it with so much ardour, that the invitation was given with the greatest appearance of unanimity. But the zeal of the Roman Catholics got the start of the Prior in paying court to Mary; and Lesly, afterwards Bishop of Ross, who was commissioned by them, arrived before him at the place of her residence [g]. Lesly endeavoured to infuse into the Queen's mind suspicions of her Protestant subjects, and to persuade her to throw herself entirely into the arms of those who adhered to her own religion. For this purpose, he insisted that she should land at Aberdeen; and, as the Protestant doctrines The Queen invited to return into Scotland.

[e] Knox, 256. [f] See Append. No. V. [g] Lesly, 227.

BOOK III. 1561. had made no considerable progress in that part of the kingdom, he gave her assurance of being joined in a few days by twenty thousand men; and flattered her that, with such an army, encouraged by her presence and authority, she might easily overturn the reformed church, before it was firmly settled on its foundations.

But, at this juncture, the Princes of Lorrain were not disposed to listen to this extravagant and dangerous proposal. Intent on defending themselves against Catherine of Medicis, whose insidious policy was employed in undermining their exorbitant power, they had no leisure to attend to the affairs of Scotland, and wished their niece to take possession of her kingdom with as little disturbance as possible. The French officers too, who had served in Scotland, dissuaded Mary from all violent measures; and, by representing the power and number of the Protestants to be irresistible, determined her to court them by every art; and rather to employ the leading men of that party as ministers, than to provoke them, by a fruitless opposition, to become her enemies[b]. Hence proceeded the confidence and affection with which the Prior of St. Andrew's was received by the Queen. His representation of the state of the kingdom gained great credit; and Lesly beheld with regret the new channel in which court favour was likely to run.

Another convention of estates was held in May. The arrival of an ambassador from France seems to have been the occasion of this meeting. He was in-

[b] Melv. 61.

structed to solicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to restore the popish ecclesiastics to the possession of their revenues and the exercise of their functions. It is no easy matter to form any conjecture concerning the intentions of the French court in making these extraordinary and ill-timed propositions. They were rejected with that scorn which might well have been expected from the temper of the nation [i]. 1561.

In this convention, the Protestant clergy did not obtain a more favourable audience than formerly, and their prospect of recovering the patrimony of the church still remained as distant and uncertain as ever. But with regard to another point, they found the zeal of the nobles in no degree abated. The book of discipline seemed to require that the monuments of popery, which still remained in the kingdom, should be demolished [k]; and, though neither the same pretence of policy, nor the same ungovernable rage of the people, remained to justify or excuse this barbarous havoc, the convention, considering every religious fabric as a relic of idolatry, passed sentence upon them by an act in form; and persons the most remarkable for the activity of their zeal were appointed to put it in execution. Abbeys, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The storm of popular insurrection, though impetuous and irresistible, had extended only to a few counties, and soon spent its rage; but now a deliberate

[i] Knox, 269. 273. [k] Spotswood, 153.

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and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence [l].

Mary begins to prepare for it.

In the mean time Mary was in no haste to return into Scotland. Accustomed to the elegance, splendour, and gaiety of a polite court, she still fondly lingered in France, the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her subjects, which presented her with a very different face of things. The impatience, however, of her people, the persuasions of her uncles, but, above all, the studied and mortifying neglect with which she was treated by the Queen-mother, forced her to think of beginning this disagreeable voyage [m]. But while she was preparing for it, there were sown between her and Elizabeth the seeds of that personal jealousy and discord which embittered the life and shortened the days of the Scottish Queen.

Origin of the discord between her and Elizabeth.

The ratification of the late treaty of Edinburgh was the immediate occasion of this fatal animosity; the true cause of it lay much deeper. Almost every article in that treaty had been executed by both parties with a scrupulous exactness. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malcontents were redressed, and they had obtained whatever they could demand for their future security. With regard to all these, Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

[l] Spotswood, 174. [m] Brantome, Jebb, vol. ii. 482.

The sixth article remained the only source of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and success, than Cecil. In the conduct of the negotiation at Edinburgh, the sound understanding of this able politician had proved greatly an overmatch for Monluc's refinements in intrigue, and had artfully induced the French ambassadors, not only to acknowledge that the crowns of England and Ireland did of right belong to Elizabeth alone, but also to promise, that in all times to come Mary should abstain from using the title, or bearing the arms, of those kingdoms. 1561.

The ratification of this article would have been of the most fatal consequence to Mary. The crown of England was an object worthy of her ambition. Her pretensions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was esteemed preferable to that of Elizabeth. Among the English themselves, the Roman Catholics, who formed at that time a numerous and active party, openly espoused this opinion; and even the Protestants, who supported Elizabeth's throne, could not deny the Queen of Scots to be her immediate heir. A proper opportunity to avail herself of all these advantages could not, in the course of things, be far distant, and many incidents might fall in, to bring this opportunity nearer than was expected. In these circumstances, Mary, by ratifying the article in dispute, would have lost the rank she had hitherto held among neighbouring princes; the zeal of her adherents must have gradually cooled;

BOOK III. and she might have renounced, from that moment, all hopes of ever wearing the English crown [n].

1561. None of these beneficial consequences escaped the penetrating eye of Elizabeth, who, for this reason, had recourse to every thing by which she could hope either to soothe or frighten the Scottish Queen into a compliance with her demands; and if that Princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage which, under her management, must have turned to great account. By such a renunciation, the question with regard to the right of succession would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, she might have broken in upon the order of lineal succession, and transferred the crown to some other descendant of the royal blood. The former conduct she observed towards James VI., whom during his whole reign she held in perpetual fear and subjection. The latter and more rigorous method of proceeding would, in all probability, have been employed against Mary, whom for many reasons she both envied and hated.

Nor was this step beyond her power, unprecedented in the history, or inconsistent with the constitution, of England. Though succession by hereditary right be an idea so natural and so popular, that it has been established in almost every civilized nation, yet England affords many memorable in-

[n] Haynes, 373, &c.

stances of deviation from that rule. The crown of that kingdom having once been seized by the hand of a conqueror, this invited the bold and enterprising in every age to imitate such an illustrious example of fortunate ambition. From the time of William the Norman, the regular course of descent had seldom continued through three successive reigns. Those princes, whose intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal consideration. That great assembly claimed and actually possessed a power of altering the order of regal succession; and even so late as Henry VIII. an act of parliament had authorized that capricious monarch to settle the order of succession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of strangers, would have eagerly adopted the passions of their sovereign, and might have been easily induced to exclude the Scottish line from the right of succeeding to the crown. These seem to have been the views of both Queens, and these were the difficulties which retarded the ratification of the treaty of Edinburgh.

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But, if the sources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited but more precise; and Mary, instead of promising to abstain from bearing the title

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of Queen of England in all times to come, might have engaged not to assume that title during the life of Elizabeth, or the lives of her lawful posterity[o].

Such an amendment, however, did not suit the views of either Queen. Though Mary had been obliged to suspend for some time the prosecution of her title to the English crown, she had not however relinquished it. She determined to revive her claim on the first prospect of success, and was unwilling to bind herself, by a positive engagement, not to take advantage of any such fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recognised the right of her rival to

[o] This expedient for terminating the difference between Elizabeth and Mary was so obvious, that it could not fail of presenting itself to the view of the English ministers.

"There hath been a matter secretly thought of, (says Cecil in a letter to Throkmorton, July 14, 1561,) which I dare communicate to you, although I mean never to be an author thereof; and that is, if an accord might be made betwixt our Mistress and the Scottish Queen, that this should by parliament in Scotland, &c. surrender unto the Queen's Majesty all matters of claim, and unto the heirs of her body; and in consideration thereof, the Scottish Queen's interest should be acknowledged in default of heirs of the body of the Queen's Majesty. Well, God send our Mistress a husband, and by time a son, that we may hope our posterity shall have a masculine succession. This matter is too big for weak folks, and too deep for simple. The Queen's Majesty knoweth of it." Hardw. State Pap. 1. 174. But with regard to every point relating to the succession, Elizabeth was so jealous and so apt to take offence, that her most confidential ministers durst not urge her to advance one step farther than she herself chose to go. Cecil, mentioning some scheme about the succession, if the Queen should not marry or leave issue, adds, with his usual caution: "This song hath many parts; but, for my part, I have no skill but in plain song." Ibid. 178.

ascend the throne after her decease. But neither the Scottish nor English Queen durst avow these secret sentiments of their hearts. Any open discovery of an inclination to disturb the tranquillity of England, or to wrest the sceptre out of Elizabeth's hands, might have proved fatal to Mary's pretensions. Any suspicion of a design to alter the order of succession, and to set aside the claim of the Scottish Queen, would have exposed Elizabeth to much and deserved censure, and have raised up against her many and dangerous enemies. These, however carefully concealed or artfully disguised, were, in all probability, the real motives which determined the one Queen to solicit, and the other to refuse, the ratification of the treaty in its original form; while neither had recourse to that explication of it, which, to an heart unwarped by political interest, and sincerely desirous of union and concord, would have appeared so obvious and natural.

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But, though considerations of interest first occasioned this rupture between the British Queens, rivalship of another kind contributed to widen the breach, and female jealousy increased the violence of their political hatred. Elizabeth, with all those extraordinary qualities by which she equalled or surpassed such of her sex as have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of flattery, were all excessive. Nor were these weaknesses confined to that period of life when they are more pardonable.

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Even in very advanced years, the wisest woman of that, or perhaps of any other age, wore the garb and affected the manners of a girl[p]. Though Elizabeth was as much inferior to Mary in beauty and gracefulness of person, as she excelled her in political abilities and in the arts of government, she was weak enough to compare herself with the Scottish Queen [q]; and as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her as a rival by whom she was eclipsed. In judging of the conduct of Princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's present as well as subsequent conduct towards Mary, we must not always consider her as a Queen, we must sometimes regard her merely as a woman.

Elizabeth, though no stranger to Mary's difficulties with respect to the treaty, continued to urge her, by repeated applications, to ratify it[r]. Mary, under various pretences, still contrived to gain time, and to elude the request. But while the one Queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly love, with reciprocal declarations of unchangeable esteem and amity.

It was not long before Mary was convinced, that among princes these expressions of friendship are

[p] Johnston, Hist. Rer. Britan. 346, 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, article *Essex*.

[q] Melvil, 98.

[r] Keith, 157. 160, &c.

commonly far distant from the heart. In sailing from France to Scotland, the course lies along the English coast. In order to be safe from the insults of the English fleet, or, in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent M. D'Oysel to demand of Elizabeth a safe-conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a design, either to obstruct the passage, or to intercept the person of the Scottish Queen [s]. 1561.

Elizabeth refuses Mary a safe-conduct.

Mary, in a long conference with Throkmorton, the English ambassador in France, explained her sentiments concerning this ungenerous behaviour of his mistress, in a strain of dignified expostulation, which conveys an idea of her abilities, address, and spirit, as advantageous as any transaction in her reign. Mary was at that time only in her eighteenth year; and as Throkmorton's account of what passed in his interview with her, is addressed directly to Elizabeth [t], that dexterous courtier, we may be well assured, did not embellish the discourse of the Scottish Queen with any colouring too favourable.

Whatever resentment Mary might feel, it did not retard her departure from France. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the Queen of two powerful kingdoms. Six Princes of Lorrain, her uncles, with many of the most eminent among

Mary begins her voyage.

[s] Keith, 171. Camden. See Appendix, No. VI.

[t] Cabbala, p. 374. Keith, 170, &c.

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the French nobles, were in her retinue. Catherine, who secretly rejoiced at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mourning attendants, with a sad heart, and eyes bathed in tears, Mary left that kingdom, the short but only scene of her life in which fortune smiled upon her. While the French coast continued in sight, she intently gazed upon it, and musing, in a thoughtful posture, on that height of fortune whence she had fallen, and presaging, perhaps, the disasters and calamities which embittered the remainder of her days, she sighed often, and cried out "Farewell, France! "Farewell, beloved country, which I shall never "more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor taste food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune soothed her on this occasion; the galley made little way during the night. In the morning, the coast of France was still within sight, and she continued to feed her melancholy with the prospect; and, as long as her eyes could distinguish it, to utter the same tender expressions of regret [u]. At last a brisk gale arose, by the favour of which for some days, and afterwards under the cover of a thick fog, Mary escaped the English fleet, which, as she apprehended, lay in wait in order to intercept her [x]; and on the nineteenth of August, after an absence

[u] Brantome, 483. He himself was in the same galley with he Queen.

[x] Goodal, vol. i. 175. Camden insinuates, rather than af-

of near thirteen years, landed safely at Leith in her native kingdom. BOOK III. 1561.

Mary was received by her subjects with shouts and acclamations of joy, and with every demonstration of welcome and regard. But as her arrival was unexpected, and no suitable preparation had been made for it, they could not, with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The Queen, accustomed from her infancy to splendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her situation, and seemed to be deeply affected with it [y]. Arrives in Scotland.

Never did any Prince ascend the throne at a juncture which called for more wisdom in council, or more courage and steadiness in action. The rage of religious controversy was still unabated. The State of the kingdom at this time.

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firms, that it was the object of the English fleet to intercept Mary. This, however, seems to be doubtful. Elizabeth positively asserts that, at the request of the King of Spain, she had fitted out a few ships of slender force, in order to clear the narrow seas of pirates, which infested them; and she appeals for the truth of this to Mary's own ministers. App. No. VI. Cecil, in a letter to Throkmorton, Aug. 26, 1561, informs him, that "the Queen's ships, which were upon the seas to cleanse them of pirates, saw her [i. e. Mary], and saluted her galleys, and staying her ships examined them of pirates, and dismissed them gently. One Scottish ship they detained as vehemently suspected of piracy." Hard. State Papers, i. 176. Castelnau, who accompanied Mary in this voyage, confirms the circumstance of her galleys being in sight of the English fleet. Mem. ap. Jebb. xi. 455

[y] Brant. 484.

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memory of past oppression exasperated the Protestants; the smart of ancient injuries rendered the Papists desperate; both were zealous, fierce, and irreconcileable. The absence of their sovereign had accustomed the nobles to independence; and, during the late commotions, they had acquired such an increase of wealth, by the spoils of the church, as threw great weight into the scale of the aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for the two last years, without a regent, without a supreme council, without the power, or even the form, of a regular government[z]. A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, of enemies become confederates, had grown into confidence with the nation, and had gained an ascendant over all its councils. The Scottish monarchs did not derive more splendour or power from the friendship of the former, than they had reason to dread injury and diminution from the interposition of the latter. Every consideration, whether of interest or of self-preservation, obliged Elizabeth to depress the royal authority in Scotland, and to create the Prince perpetual difficulties, by fomenting the spirit of dissatisfaction among the people.

[z] Keith, Appendix, 92.

In this posture were the affairs of Scotland, when the administration fell into the hands of a young Queen, not nineteen years of age, unacquainted with the manners and laws of her country, a stranger to her subjects, without experience, without allies, and almost without a friend.

On the other hand, in Mary's situation we find some circumstances, which, though they did not balance these disadvantages, contributed however to alleviate them; and, with skilful management, might have produced great effects. Her subjects, unaccustomed so long to the residence of their Prince, were not only dazzled by the novelty and splendour of the royal presence, but inspired with awe and reverence. Besides the places of power and profit bestowed by the favour of a prince, his protection, his familiarity, and even his smiles, confer honour and win the hearts of men. From all corners of the kingdom, the nobles crowded to testify their duty and affection to their sovereign, and studied by every art to wipe out the memory of past misconduct, and to lay in a stock of future merit. The amusements and gaiety of her court, which was filled with the most accomplished of the French nobility, who had attended her, began to soften and to polish the rude manners of the nation. Mary herself possessed many of those qualifications which raise affection and procure esteem. The beauty and gracefulness of her person drew universal admiration, the elegance and politeness of her manners commanded general respect. To all the charms of her own sex, she added many of the accomplishments of the other. The progress she had made in all the arts and sci-

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ences, which were then deemed necessary or ornamental, was far beyond what is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without lessening the dignity of a prince, steals on the hearts of subjects with a bewitching insinuation.

From these circumstances, notwithstanding the threatening aspect of affairs at Mary's return into Scotland; notwithstanding the clouds which gathered on every hand, a political observer would have predicted a very different issue of her reign; and, whatever sudden gusts of faction he might have expected, he would never have dreaded the destructive violence of that storm which followed.

While all parties were contending who should discover the most dutiful attachment to the Queen, the zealous and impatient spirit of the age broke out in a remarkable instance. On the Sunday after her arrival, the Queen commanded mass to be celebrated in the chapel of her palace. The first rumour of this occasioned a secret murmuring among the Protestants who attended the court; complaints and threatenings soon followed; the servants belonging to the chapel were insulted and abused; and, if the Prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses[a].

It is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against popery, which then possessed the nation. Every instance of condescension

[a] Knox, 284. Haynes, 372.

to the Papists was deemed an act of apostasy, and the toleration of a single mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men[b]. Under the influence of these opinions, many Protestants would have ventured to go dangerous lengths; and, without attempting to convince their sovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the Prior of St. Andrew's, and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the Queen and her domestics the undisturbed exercise of the Catholic religion. Near an hundred years after this period, when the violence of religious animosities had begun to subside, when time and the progress of learning had enlarged the views of the human mind, an English House of Commons refused to indulge the wife of their sovereign in the private use of the mass. The Protestant leaders deserve, on this occasion, the praise both of wisdom and of moderation for conduct so different. But, at the same time, whoever reflects upon the encroaching and sanguinary spirit of popery in that age, will be far from treating the fears and caution of the more zealous reformers as altogether imaginary, and destitute of any real foundation.

The leaders of the Protestants, however, by this prudent compliance with the prejudices of their so-

[b] Knox, 287.

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vereign, obtained from her a proclamation highly favourable to their religion, which was issued six days after her arrival in Scotland. The reformed doctrine, though established over all the kingdom by the parliament, which met in consequence of the treaty of pacification, had never received the countenance or sanction of royal authority. In order to quiet the minds of those who had embraced that doctrine, and to remove any dread of molestation which they might entertain, Mary declared, "that until she should take final orders concerning religion, with advice of Parliament, any attempt to alter or subvert the religion which she found universally practised in the realm, should be deemed a capital crime[c]." Next year a second proclamation to the same effect was published[d].

She employs only Protestants in the administration.

The Queen, conformably to the plan which had been concerted in France, committed the administration of affairs entirely to Protestants. Her council was filled with the most eminent persons of that party; not a single Papist was admitted into any degree of confidence[e]. The Prior of St. Andrew's and Maitland of Lethington seemed to hold the first place in the Queen's affection, and possessed all the power as well as reputation of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people; and, by their prudent advice, Mary conducted herself with so much moderation, and deference to the sentiments of the nation, as could not fail of gaining the affection of her subjects[f], the firmest foundation of a

[c] Keith, 504. [d] Ibid. 510. [e] Knox, 285. [f] Lesly, 235.

prince's power, and the only genuine source of his happiness and glory.

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A cordial reconcilement with Elizabeth was another object of great importance to Mary; and though she seems to have had it much at heart, in the beginning of her administration, to accomplish such a desirable conjunction, yet many events occurred to widen, rather than to close, the breach. The formal offices of friendship, however, are seldom neglected among princes; and Elizabeth, who had attempted so openly to obstruct the Queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her safe return. Mary, that she might be on equal terms with her, sent Maitland to the English court, with many ceremonious expressions of regard for Elizabeth[s]. Both the ambassadors were received with the utmost civility; and on each side the professions of kindness, as they were made with little sincerity, were listened to with proportional credit.

Attempts to gain Elizabeth's favour.

Both were intrusted, however, with something more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs since her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to consult, were the pretences offered in excuse for her conduct; the real causes

[s] Keith, 181, &c.

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of it were those which have already been mentioned. But, in order to extricate herself out of these difficulties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to signify her willingness to disclaim any right to the crown of England, during the life of Elizabeth, and the lives of her posterity; if, in failure of these, she were declared next heir by an act of parliament[h].

Reasonable as this proposal might appear to Mary, who thereby precluded herself from disturbing Elizabeth's possession of the throne, nothing could be more inconsistent with Elizabeth's interest, or more contradictory to a passion which predominated in the character of that Princess. Notwithstanding all the great qualities which threw such lustre on her reign, we may observe, that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungenerous actions. The peculiarity of her situation heightened, no doubt, and increased, but did not infuse, this passion. It descended to her from Henry VII. her grandfather, whom, in several features of his character, she nearly resembled. Like him, she suffered the title by which she held the crown to remain ambiguous and controverted, rather than submit it to parliamentary discussion, or derive any addition to her right from such authority. Like him, she observed every pretender to the succession, not only with that attention which prudence prescribes, but with that aversion

[h] Camden, 387. Buch. 329.

which suspicion inspires. The present uncertainty with regard to the right of succession operated for Elizabeth's advantage, both on her subjects and on her rivals. Among the former, every lover of his country regarded her life as the great security of the national tranquillity; and chose rather to acknowledge a title which was dubious, than to search for one that was unknown. The latter, while nothing was decided, were held in dependence, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish Queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched. BOOK III. 1561.

About this time the Queen made her public entry into Edinburgh with great pomp. Nothing was neglected that could express the duty and affection of the citizens towards their sovereign. But, amidst these demonstrations of regard, the genius and sentiments of the nation discovered themselves in a circumstance, which, though inconsiderable, ought not to be overlooked. As it was the mode of the times to exhibit many pageants at every public solemnity, most of these, on this occasion, were contrived to be representations of the vengeance which the Almighty had inflicted upon idolaters[1]. Even while they studied to amuse and to flatter the Queen, her subjects could not refrain from testifying their abhorrence of that religion which she professed. Sept. 1.

[1] Keith, 189.

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To restore the regular administration of justice, and to reform the internal policy of the country, became the next object of the Queen's care. The laws enacted for preservation of public order, and the security of private property, were nearly the same in Scotland as in every other civilized country. But the nature of the Scottish constitution, the feebleness of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of these laws feeble, irregular, and partial. In the counties which border on England, this defect was most apparent; and the consequences of it most sensibly felt. The inhabitants, strangers to industry, averse from labour, and unacquainted with the arts of peace, subsisted chiefly by spoil and pillage; and, being confederated in septs or clans, committed these excesses not only with impunity, but even with honour. During the unsettled state of the kingdom from the death of James V., this dangerous licence had grown to an unusual height; and the inroads and rapine of those freebooters were become no less intolerable to their own countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The Prior of St. Andrew's was the person chosen for this important service, and extraordinary powers, together with the title of the Queen's Lieutenant, were vested in him for that purpose.

Restrains the licence of the borderers.

Nothing can be more surprising to men accustomed to regular government, than the preparations made on this occasion. They were such as might be expected in the rudest and most imperfect state

of society. The freeholders of eleven several counties, with all their followers completely armed, were summoned to assist the Lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice. The Prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the impartial and rigorous administration of justice, order and tranquillity were restored to that part of the kingdom.

The Papists attempt, in vain, to get into favour with her.

During the absence of the Prior of St. Andrew's, the leaders of the popish faction seem to have taken some steps towards insinuating themselves into the Queen's favour and confidence[1]. But the Archbishop of St. Andrew's, the most remarkable person in the party for abilities and political address, was received with little favour at court; and, whatever secret partiality the Queen might have towards those who professed the same religion with herself, she discovered no inclination at that time to take the administration of affairs out of the hands to which she had already committed it.

The cold reception of the Archbishop of St. Andrew's was owing to his connexion with the house of Hamilton; from which the Queen was much alienated. The Duke of Guise and the Cardinal could never forgive the zeal with which the Duke of Chatelherault and his son the Earl of Arran had

[k] Keith, 198. [l] Ibid. 203.

BOOK III. espoused the cause of the Congregation. Princes seldom view their successors without jealousy and
1561. distrust. The Prior of St. Andrew's, perhaps, dreaded the Duke as a rival in power. All these causes concurred in infusing into the Queen's mind an aversion for that family. The Duke, indulging his love of retirement, lived at a distance from court, without taking pains to insinuate himself into favour; and though the Earl of Arran openly aspired to marry the Queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who opposed Mary's enjoying the exercise of her religion; and, by rashly entering a public protestation against it, entirely forfeited her favour[m]. At the same time, the sordid parsimony of his father obliged him either to hide himself in some retirement, or to appear in a manner unbecoming his dignity as first Prince of the blood, or his high pretensions as suitor to the Queen[n]. His love inflamed by disappointment, and his impatience exasperated by neglect, preyed gradually on his reason, and, after many extravagancies, broke out at last in ungovernable phrensy.

Dec. 20. Towards the end of the year, a convention of estates was held, chiefly on account of ecclesiastical affairs. The assembly of the church, which sat at the same time, presented a petition, containing many demands with respect to the suppressing of Popery, the encouraging the Protestant religion, and the providing for the maintenance of the clergy[o].

[m] Keith, 201. 204. Knox, 286.
[n] Keith, 196. [o] Ibid. 210.

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The last was a matter of great importance, and the steps taken towards it deserve to be traced.

A new regulation concerning the revenues of the church.

Though the number of Protestant preachers was now considerably increased, many more were still wanted, in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a scanty and precarious subsistence from the benevolence of their people. To suffer the ministers of an established church to continue in this state of indigence and dependence, was an indecency equally repugnant to the principles of religion, and to the maxims of sound policy; and would have justified all the imputations of avarice with which the Reformation was then loaded by its enemies. The revenues of the Popish church were the only fund which could be employed for their relief; but, during the three last years, the state of these was greatly altered. A great majority of abbots, priors, and other heads of religious houses, had, either from a sense of duty, or from views of interest, renounced the errors of Popery; and, notwithstanding this change in their sentiments, they retained their ancient revenues. Almost the whole order of bishops, and several of the other dignitaries, still adhered to the Romish superstition; and, though debarred from every spiritual function, continued to enjoy the temporalities of their benefices. Some laymen, especially those who had been active in promoting the Reformation, had, under various pretences, and amidst the licence of civil wars, got into their hands possessions which belonged to the church. Thus, before any part of the ancient ecclesiastical revenues could be applied towards the maintenance of the

BOOK III. 1561. Protestant ministers, many different interests were to be adjusted; many claims to be examined; and the prejudices and passions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquiesced in even by the popish clergy themselves. An exact account of the value of ecclesiastical benefices throughout the kingdom was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession: two-thirds of their whole revenue were reserved for their own use, the remainder was annexed to the crown; and out of that the Queen undertook to assign a sufficient maintenance for the Protestant clergy[p].

As most of the bishops and several of the other dignitaries were still firmly attached to the Popish religion, the extirpation of the whole order, rather than an act of such extraordinary indulgence, might have been expected from the zeal of the preachers, and from the spirit which had hitherto animated the nation. But, on this occasion, other principles obstructed the operations of such as were purely religious. Zeal for liberty, and the love of wealth, two passions extremely opposite, concurred in determining the Protestant leaders to fall in with this plan, which deviated so manifestly from the maxims by which they had hitherto regulated their conduct.

If the Reformers had been allowed to act without controul, and to level all distinctions in the church, the great revenues annexed to ecclesiastical dignities

[p] Keith, Append. 175. Knox, 194.

could not, with any colour of justice, have been retained by those in whose hands they now were; but must either have been distributed amongst the Protestant clergy, who performed all religious offices, or must have fallen to the Queen, from the bounty of whose ancestors the greater part of them was originally derived. The former scheme, however suitable to the religious spirit of many among the people, was attended with manifold danger. The Popish ecclesiastics had acquired a share in the national property, which far exceeded the proportion that was consistent with the happiness of the kingdom; and the nobles were determined to guard against this evil, by preventing the return of those possessions into the hands of the church. Nor was the latter, which exposed the constitution to more imminent hazard, to be avoided with less care. Even that circumscribed prerogative, which the Scottish Kings possessed, was the object of jealousy to the nobles. If they had allowed the crown to seize the spoils of the church, such an increase of power must have followed that accession of property, as would have raised the royal authority above controul, and have rendered the most limited Prince in Europe the most absolute and independent. The reign of Henry VIII. presented a recent and alarming example of this nature. The wealth which flowed in upon that Prince, from the suppression of the monasteries, not only changed the maxims of his government, but the temper of his mind; and he who had formerly submitted to his Parliaments, and courted his people, dictated from that time to the former with intolerable insolence, and tyrannized

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over the latter with unprecedented severity. And if his policy had not been extremely short-sighted, if he had not squandered what he acquired, with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis so broad and strong as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore as great a proportion to the wealth of the kingdom, the acquisition of church lands would have been of no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and thereby secured their own independence.

Avarice mingled itself with their concern for the interest of their order. The re-uniting the possessions of the church to the crown, or the bestowing them on the Protestant clergy, would have been a fatal blow, both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally renounced their ecclesiastical character. But as the plan which was proposed, gave some sanction to their usurpation, they promoted it with their utmost influence. The Popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, consented, under their present circumstances, to sacrifice a part of their possessions, in order to purchase the secure enjoyment of the remainder; and, after deeming the whole irrecoverably lost, they considered whatever they could retrieve as so much gain. Many of the ancient dig-

nitaries were men of noble birth; and, as they no longer entertained hopes of restoring the Popish religion, they wished their own relations, rather than the crown or the Protestant clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachments of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and, by granting *feus* and perpetual leases of lands and tithes, gave, to the utmost of their power, some colour of legal possession to what was formerly mere usurpation. Many vestiges of such alienation still remain [q]. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually stripped the ecclesiastics of their richest and most valuable possessions. Even that third part, which was given up in order to silence the clamours of the Protestant clergy, and to be some equivalent to the crown for its claims, amounted to no considerable sum. The *thirds* due by the more powerful nobles, especially by such as had embraced the Reformation, were almost universally remitted. Others, by producing fraudulent rentals; by estimating the corn, and other payments in kind, at an under value; and by the connivance of collectors, greatly diminished the charge against themselves [r]: and the nobles had much reason to be satisfied with a device which, at so small expense, secured to them such valuable possessions.

Nor were the Protestant clergy considerable gainers

[q] Keith, 507. Spotsw. 175.

[r] Keith, Append. 188. Spotsw. 183.

BOOK III. by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men, whom formerly they had swayed with absolute authority, were now deaf to all their remonstrances. The Prior of St. Andrew's, the Earl of Argyll, the Earl of Morton, and Maitland, all the most zealous leaders of the Congregation, were appointed to assign, or, as it was called, to *modify* their stipends. An hundred merks Scottish was the allowance which their liberality afforded to the generality of ministers. To a few three hundred merks were granted [s]. About twenty-four thousand pounds Scottish appears to have been the whole sum allotted for the maintenance of a national church established by law, and esteemed throughout the kingdom the true church of God [t]. Even this sum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly.

1561. The Protestant clergy no gainers by it.

1562. Dissensions among the nobles. The gentleness of the Queen's administration, and the elegance of her court, had mitigated, in some degree, the ferocity of the nobles, and accustomed them to greater mildness and humanity; while, at the same time, her presence and authority were a check to their factious and tumultuary spirit. But, as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most violent eruptions of intestine discord and animosity.

Among the great and independent nobility of

[s] Knox, 301. [t] Keith, Append. 188.

Scotland, a monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unsettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the seeds of many quarrels and contentions. These, as we have already observed, were frequently decided not by law, but by violence. The offended baron, without having recourse to the monarch, or acknowledging his superior authority, assembled his own followers, and invaded the lands of his rival in an hostile manner. Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to prosecute it with unabated rancour.

BOOK III. 1562.

Such a dissention had subsisted between the house of Hamilton and the Earl of Bothwell, and was heightened by mutual injuries during the late commotions [u]. The Earl of Arran and Bothwell happening to attend the court at the same time, their followers quarrelled frequently in the streets of Edinburgh, and excited dangerous tumults in that city. At last, the mediation of their friends, particularly of Knox, brought about a reconcilement, but an unfortunate one to both these noblemen [x].

February.

A few days after, Arran came to Knox, and, with the utmost terror and confusion, confessed first to him, and then to the Prior of St. Andrew's, that, in order to obtain the sole direction of affairs, Bothwell, and his kinsmen the Hamiltons, had conspired

[u] Keith, 215. [x] Knox, 305.

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to murder the Prior, Maitland, and the other favourites of the Queen. The Duke of Chatelherault regarded the Prior as a rival, who had supplanted him in the Queen's favour, and who filled that place at the helm, which he imagined to be due to himself, as first Prince of the blood. Bothwell, on account of the personal injuries which he had received from the Prior during the hostile operations of the two contending parties, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the Earl of Arran, it is impossible, amidst the contradiction of historians and the defectiveness of records, positively to determine. Among men inflamed with resentment and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and on that foundation Arran's distempered fancy might rear the whole superstructure of a conspiracy. All the persons accused, denied their guilt with the utmost confidence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accusation, and abundantly justify the conduct of the Queen's ministers, who confined Bothwell, Arran, and a few of the ringleaders, in separate prisons, and obliged the Duke to surrender the strong castle of Dumbarton, which he had held ever since the time of his resigning the office of Regent[y].

[y] Knox, 307, 308.

1562.

The designs of the Earl of Huntly against the Prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon Earl of Huntly, having been one of the nobles who conspired against James III., and who raised his son James IV. to the throne, enjoyed a great share in the confidence of that generous Prince [z]. By his bounty, great accessions of wealth and power were added to a family already opulent and powerful. On the death of that monarch, Alexander the next Earl, being appointed Lord-lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the growing dominion of such a dangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he secretly undermined, others he subdued by open force. His estate far exceeded that of any other subject, and his *superiorities* and jurisdictions extended over many of the northern counties. With power and possessions so extensive, under two long and feeble minorities, and amidst the shock of civil commotions, the Earls of Huntly might have indulged the most elevated hopes. But, happily for the crown, an active and enterprising spirit was not the characteristic of that family; and, whatever object their ambition might have in view, they chose rather to acquire it by political address, than to seize it openly and by force of arms.

The Earl of Huntly's enmity to the Queen's ministers.

[z] Crawf. Officers of State, 56.

BOOK III. 1562. The conduct of George the present Earl, during the late commotions, had been perfectly suitable to the character of the family in that age, dubious, variable, and crafty. While the success of the Lords of the Congregation was uncertain, he assisted the Queen Regent in her attempts to crush them. When their affairs put on a better aspect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending parties; both connived at his encroachments in the north; and by artifice and force, which he well knew how to employ alternately and in their proper places, he added every day to the exorbitant power and wealth which he possessed.

He observed the growing reputation and authority of the Prior of St. Andrew's with the greatest jealousy and concern, and considered him as a rival who had engrossed that share in the Queen's confidence, to which his own zeal for the Popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occasioned by rivalship in power. The Queen having determined to reward the services of the Prior of St. Andrew's, by creating him an Earl, she made choice of Mar, as the place whence he should take his title; and, that he might be better able to support his new honour, bestowed upon him at the same time the lands of that name. These were part of the royal demesnes[a], but the Earls of Huntly had been permitted, for several years, to keep possession of them[b]. On this occasion the Earl not

Feb. 1.

[a] Crawf. Peer. 297. [b] Buch. 334.

only complained, with some reason, of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his oppressed vassals to shake off his yoke. BOOK III. 1562.

An incident, which happened soon after, increased and confirmed Huntly's suspicions. Sir John Gordon, his third son, and Lord Ogilvie, had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened unfortunately to meet in the streets of Edinburgh; and being both attended with armed followers, a scuffle ensued, in which Lord Ogilvie was dangerously wounded by Sir John. The magistrates seized both the offenders, and the Queen commanded them to be strictly confined. Under any regular government, such a breach of public peace and order would expose the person offending to certain punishment. At this time some severity was necessary, in order to vindicate the Queen's authority from an insult the most heinous which had been offered to it since her return into Scotland. But in an age accustomed to licence and anarchy, even this moderate exercise of her power, in ordering them to be kept in custody, was deemed an act of intolerable rigour; and the friends of each party began to convene their vassals and dependants, in order to overawe or to frustrate the decisions of justice[c]. Meanwhile Gordon made his escape out of prison, and flying into Aberdeenshire, complained loudly of the indignity June 27.

[c] Keith, 223.

BOOK III. 1562. with which he had been treated; and as all the Queen's actions were at this juncture imputed to the Earl of Mar, this added not a little to the resentment which Huntly had conceived against that nobleman.

August. At the very time when these passions fermented, with the utmost violence, in the minds of the Earl of Huntly and his family, the Queen happened to set out on a progress into the northern parts of the kingdom. She was attended by the Earls of Mar and Morton, Maitland, and other leaders of that party. The presence of the Queen in a country where no name greater than the Earl of Huntly's had been heard of, and no power superior to his had been exercised, for many years, was an event of itself abundantly mortifying to that haughty nobleman. But while the Queen was entirely under the direction of Mar, all her actions were more apt to be misrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntly's jealousy, to offend his pride, and to inflame his resentment. Amidst the agitation of so many violent passions, some eruption was unavoidable.

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commission with abundance of dexterity, to sooth the Queen, and to intercede for pardon to their son. But the Queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was persuaded to do so; and being enjoined by the Queen to enter himself prisoner in the castle of Stirling, he promised likewise to obey that command. Lord Ers-

kine, Mar's uncle, was at that time Governor of this fort. The Queen's severity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordons against him. 1562.

Meantime, Sir John Gordon set out towards Stirling; but, instead of performing his promise to the Queen, made his escape from his guards, and returned to take the command of his followers, who were rising in arms all over the north. These were destined to second and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton, and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by some of those unforeseen accidents, which so often occur to disconcert the schemes and to intimidate the hearts of assassins [d]. Huntly's own house, at Strathbogie, was the last and most convenient scene appointed for committing the intended violence. But on her journey thither, the Queen heard of young Gordon's flight and rebellion, and, refusing in the first transports of her indignation to enter under the father's roof, by that fortunate expression of her resentment saved her ministers from unavoidable destruction [e]. Sept. 1.

Take arms against the Queen.

The ill success of these efforts of private revenge precipitated Huntly into open rebellion. As the Queen was entirely under the direction of his rivals, it was impossible to compass their ruin without

[d] Keith, 230. [e] Knox, 318.

BOOK III. 1562.

violating the allegiance which he owed his sovereign. On her arrival at Inverness, the commanding officer in the castle, by Huntly's orders, shut the gates against her. Mary was obliged to lodge in the town, which was open and defenceless; but this too was quickly surrounded by a multitude of the Earl's followers[f]. The utmost consternation seized the Queen, who was attended by a very slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Munroes, Frasers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their assistance, she even forced the castle to surrender, and inflicted on the Governor the punishment which his insolence deserved.

This open act of disobedience was the occasion of a measure more galling to Huntly than any the Queen had hitherto taken. Lord Erskine having pretended a right to the Earldom of Mar, Stewart resigned it in his favour; and at the same time Mary conferred upon him the title of Earl of Murray, with the estate annexed to that dignity, which had been in the possession of the Earl of Huntly since the year 1548[g]. From this encroachment upon his domains he concluded that his family was devoted to destruction; and, dreading to be stripped gradually of those possessions which, in reward of their services, the gratitude of the crown had bestowed on himself, or his ancestors, he no longer disguised

[f] Crawf. Officers of State, 87, 88. [g] Crawf. Peer. 359.

his intentions, but, in defiance of the Queen's pro- BOOK
clamation, openly took arms. Instead of yielding III.
those places of strength, which Mary required him 1562.
to surrender, his followers dispersed or cut in pieces the parties which she dispatched to take possession of them [h]; and he himself advancing with a considerable body of men towards Aberdeen, to which place the Queen was now returned, filled her small court with consternation. Murray had only a handful of men in whom he could confide [i]. In order to form the appearance of an army, he was obliged to call in the assistance of the neighbouring barons; but as most of these either favoured Huntly's designs, or stood in awe of his power, from them no cordial or effectual service could be expected.

With these troops, however, Murray, who could Oct. 28.
gain nothing by delay, marched briskly towards the enemy. He found them at Corichie, posted to great advantage; he commanded his northern associates instantly to begin the attack; but on the first motion of the enemy they treacherously turned their backs; and Huntly's followers, throwing aside their spears and breaking their ranks, drew their swords and rushed forward to the pursuit. It was then that Murray gave proof, both of steady courage and of prudent conduct. He stood immoveable on a rising ground with the small but trusty body of his adherents, who, presenting their spears to the enemy, received them with a determined resolution which they little expected. The Highland broad sword is not a weapon fit to encounter the Scottish spear. In every

He is defeated by the Earl of Murray.

[h] Knox, 319. [i] Keith, 230.

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civil commotion, the superiority of the latter has been evident, and has always decided the contest. On this occasion the irregular attack of Huntly's troops was easily repulsed by Murray's firm battalion. Before they recovered from the confusion occasioned by this unforeseen resistance, Murray's northern troops, who had fled so shamefully in the beginning of the action, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himself, who was extremely corpulent, was trodden to death in the pursuit. His sons, Sir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, Sir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and upon trial found guilty of treason; but, through the Queen's clemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and fortune to the lowest ebb [k].

[k] This conspiracy of the Earl of Huntly is one of the most intricate and mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's Collection, the great storehouse of evidence and information with regard to the affairs of this period.

Buchanan supposes Mary to have formed a design about this time of destroying Murray, and of employing the power of the Earl of Huntly for this purpose. But his account of this whole

As the fall of the Earl of Huntly is the most important event of this year, it would have been improper to interrupt the narrative by taking notice of 1562.

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transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter; but they appear to be equally removed from truth.

I. It cannot well be conceived, that the Queen's journey to the north was a scheme concerted by Murray, in order to ruin the Earl of Huntly. 1. Huntly had resided at court almost ever since the Queen's return. Keith, 198. Append. 175, &c. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power and in the midst of his vassals, was a project equally absurd and hazardous. 2. The Queen was not accompanied with a body of troops capable of attempting any thing against Huntly by violence: her train was not more numerous than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy; one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntly's measures as notoriously treasonable. Randolph mentions his repeated attempts to assassinate Murray, &c. No hint is given of any previous resolution formed by Mary's ministers to ruin Huntly and his family. Had any such design ever existed, it was Randolph's duty to have discovered it; nor would Maitland have laboured to conceal it from the English secretary. Keith, 229. 232.

II. To suppose that the Earl of Huntly had laid any plan for seizing the Queen and her ministers, seems to be no less improbable. 1. On the Queen's arrival in the north, he laboured, in good earnest, to gain her favour, and to obtain a pardon for his son. Knox, 318. 2. He met the Queen, first at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any such treasonable resolution. Knox, 318. 3. His conduct was irresolute and wavering, like that of

BOOK III.

lesser transactions, which may now be related with equal propriety.

1562. An interview between Elizabeth and Mary proposed.

In the beginning of summer, Mary, who was desirous of entering into a more intimate correspondence and familiarity with Elizabeth, employed Maitland to desire a personal interview with her, somewhere in the north of England. As this proposal could not be rejected with decency, the time, the place, and the circumstances of the meeting were instantly agreed upon. But Elizabeth was prudent enough not to admit into her kingdom a rival who outshone herself so far in beauty and gracefulness of person; and who excelled so eminently in all the arts of insinuation and address. Under pretence of being confined to London, by the attention which she was obliged to give to the civil wars in France, she put off the interview for that season [1], and prevented her subjects from seeing the Scottish Queen, the charms of whose appearance

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a man disconcerted by an unforeseen danger, not like one executing a concerted plan. 4. The most considerable persons of his clan submitted to the Queen, and found surety to obey her commands. Keith, 226. Had the Earl been previously determined to rise in arms against the Queen, or to seize her ministers, it is probable he would have imparted it to his principal followers, nor would they have deserted him in this manner.

For these reasons I have, on the one hand, vindicated the Earl of Murray from any deliberate intention of ruining the family of Gordon; and on the other hand, I have imputed the violent conduct of the Earl of Huntly to a sudden start of resentment, without charging him with any premeditated purpose of rebellion.

[1] Keith, 216.

and behaviour she envied, and had some reason to dread. BOOK III.

During this year, the assembly of the church met twice. In both these meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs against the negligence or avarice of those who had been appointed to collect and to distribute the small fund appropriated for the maintenance of preachers[m]. A petition, craving redress of their grievances, was presented to the Queen; but without any effect. There was no reason to expect that Mary would discover any forwardness to grant the request of such supplicants. As her ministers, though all most zealous Protestants, were themselves growing rich on the inheritance of the church, they were equally regardless of the indigence and demands of their brethren. 1562. June 2. Decem. 25.

Mary had now continued above two years in a state of widowhood. Her gentle administration had secured the hearts of her subjects, who were impatient for her marriage, and wished the crown to descend in the right line from their ancient monarchs. She herself was the most amiable woman of the age; and the fame of her accomplishments, together with the favourable circumstance of her having one kingdom already in her possession, and the prospect of mounting the throne of another, prompted many different Princes to solicit an alliance so illustrious. Scotland, by its situation, threw so much weight and power into whatever scale it fell, that all Europe waited with solicitude for Mary's determination; 1563. Negotiations with regard to the Queen's marriage.

[m] Knox, 311. 323.

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and no event in that age excited stronger political fears and jealousies; none interested more deeply the passions of several Princes, or gave rise to more contradictory intrigues, than the marriage of the Scottish Queen.

She is solicited by different Princes.

The Princes of the house of Austria remembered what vast projects the French had founded on their former alliance with the Queen of Scots; and though the unexpected death, first of Henry and then of Francis, had hindered these from taking effect, yet if Mary should again make choice of a husband among the French Princes, the same designs might be revived and prosecuted with better success.

By the Archduke Charles.

In order to prevent this, the Emperor entered into a negotiation with the Cardinal of Lorrain, who had proposed to marry the Scottish Queen to the Archduke Charles, Ferdinand's third son. The matter was communicated to Mary; and Melvil, who at that time attended the Elector Palatine, was commanded to inquire into the character and situation of the Archduke [n].

By Don Carlos of Spain.

Philip II., though no less apprehensive of Mary's falling once more into the hands of France, envied his uncle Ferdinand the acquisition of so important a prize; and, as his own insatiable ambition grasped at all the kingdoms of Europe, he employed his ambassador at the French court to solicit the Princes of Lorrain in behalf of his son Don Carlos, at that time the heir of all the extensive dominions which belonged to the Spanish monarchy [o].

[n] Melv. 63. 65. Keith, 239. See Append. No. VII.

[o] Castelnau, 461, Addit. a Labour. 501. 503.

Catherine of Medicis, on the other hand, dreaded the marriage of the Scottish Queen with any of the Austrian Princes, which would have added so much to the power and pretensions of that ambitious race. Her jealousy of the Princes of Lorrain rendered her no less averse from an alliance which, by securing to them the protection of the Emperor or King of Spain, would give new boldness to their enterprising spirit, and enable them to set the power of the crown, which they already rivalled, at open defiance: and as she was afraid that these splendid proposals of the Austrian family would dazzle the young Queen, she instantly dispatched Castelnau into Scotland, to offer her in marriage the Duke of Anjou, the brother of her former husband, who soon after mounted the throne of France [p].

By the Duke of Anjou.

Mary attentively weighed the pretensions of so many rivals. The Archduke had little to recommend him but his high birth. The example of Henry VIII. was a warning against contracting a marriage with the brother of her former husband; and she could not bear the thoughts of appearing in France, in a rank inferior to that which she had formerly held in that kingdom. She listened, therefore, with partiality, to the Spanish propositions, and the prospect of such vast power and dominions flattered the ambition of a young and aspiring Princess.

Mary's deliberations concerning it.

Three several circumstances, however, concurred to divert Mary from any thoughts of a foreign alliance.

[p] Castelnau, 461.

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The first of these was the murder of her uncle the Duke of Guise. The violence and ambition of that nobleman had involved his country in a civil war; which was conducted with furious animosity and various success. At last the Duke laid siege to Orleans, the bulwark of the Protestant cause; and he had reduced that city to the last extremity, when he was assassinated by the frantic zeal of Poltrot. This blow proved fatal to the Queen of Scots. The young Duke was a minor; and the Cardinal of Lorrain, though subtle and intriguing, wanted that undaunted and enterprising courage, which rendered the ambition of his brother so formidable. Catherine, instead of encouraging the ambition or furthering the pretensions of her daughter-in-law, took pleasure in mortifying the one, and in disappointing the other. In this situation, and without such a protector, it became necessary for Mary to contract her views, and to proceed with caution; and, whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The views of Elizabeth.

The second circumstance which weighed with Mary, was the opinion of the Queen of England. The marriage of the Scottish Queen interested Elizabeth more deeply than any other Prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the Queen of Scots. She had already experienced what use might be made of Mary's power and pretensions to invade her dominions, and

to disturb her possession of the crown. The death of Francis II. had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. As the restless ambition of the Austrian Princes, the avowed and bigoted patrons of the Catholic superstition, made her, in a particular manner, dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that as she herself would consider such a match to be a breach of the personal friendship in which they were so happily united; so the English nation would regard it as the dissolution of that confederacy which now subsisted between the two kingdoms; that, in order to preserve their own religion and liberties, they would, in all probability, take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and set aside. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well founded, command it to be publicly recognised. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish Queen to fall. The revealing of the secret was reserved for some future negotiation. Meanwhile she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her safest and most inoffen-

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sive choice [q]. An advice, offered with such an air of superiority and command, mortified, no doubt, the pride of the Scottish Queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she could not venture to offend.

The sentiments of her own subjects.

The inclination of her own subjects was another, and not the least considerable circumstance, which called for Mary's attention at this conjuncture. They had been taught, by the fatal experiment of her former marriage, to dread an union with any great Prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they foresaw that the royal prerogative would soon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could hardly fail of throwing them once more into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herself. It was easy for them to seize the person of the sovereign. By the assistance of the English fleet, they could render it difficult for any foreign Prince to land in Scotland. The Roman Catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the Earl of Huntly,

[q] Keith, 242. 245.

could give no obstruction to their designs. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from what she had already seen and experienced. BOOK III. 1563.

For these reasons Mary laid aside, at that time, all thoughts of foreign alliance, and seemed willing to sacrifice her own ambition, in order to remove the jealousies of Elizabeth, and to quiet the fears of her own subjects.

The Parliament met this year, for the first time since the Queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation; and by consequence, the proceedings of that assembly were conducted with perfect unanimity. The grant of the Earldom of Murray to the Prior of St. Andrew's was confirmed: the Earl of Huntly, and several of his vassals and dependants, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of Cardinal Beatoun, was reversed[r]: the act of oblivion, mentioned in the treaty of Edinburgh, received the royal sanction. But Mary, who had determined never to ratify that treaty, took care that this sanction should not be deemed any acknowledgement of its validity; she granted her consent merely in condescension to the Lords in Parliament, who on their knees besought her to allay the jealousies and apprehensions of her subjects by such a gracious law[s]. A Parliament held, May 26.

No attempt was made in this Parliament, to pro-

[r] Knox, 330.

[s] Parl. 9. Q. Mary, c. 67. Spotsw. 188.

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cure the Queen's assent to the laws establishing the Protestant religion. Her ministers, though zealous Protestants themselves, were aware that this could not be urged without manifest danger and imprudence. She had consented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and prosecute the Archbishop of St. Andrew's, and Prior of Withorn, for celebrating mass contrary to her proclamation [t]. Mary, however, was still passionately devoted to the Romish church; and though, from political motives, she had granted a temporary protection of opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those who professed it, was the best method for reconciling the Queen to the Protestant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at last she might yield to the wishes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be proposed in Parliament; and to defeat all these, by such a fruitless and ill-timed application to the Queen, would have been equally injurious to individuals and detrimental to the public.

Nothing determined with regard to religion;

which offends the clergy,

The zeal of the Protestant clergy was deaf to all these considerations of prudence or policy. Eager and impatient, it brooked no delay: severe and inflexible, it would condescend to no compliances. The leading men of that order insisted, that this op-

[t] Keith, 239.

portunity of establishing religion by law was not to be neglected. They pronounced the moderation of the courtiers, apostasy; and their endeavours to gain the Queen, they reckoned criminal and servile. Knox solemnly renounced the friendship of the Earl of Murray, as a man devoted to Mary, and so blindly zealous for her service, as to become regardless of those objects which he had hitherto esteemed most sacred. This rupture, which is a strong proof of Murray's sincere attachment to the Queen at that period, continued above a year and a half[u]. BOOK III. 1563.

The preachers being disappointed by the men in whom they placed the greatest confidence, gave vent to their indignation in their pulpits. These echoed more loudly than ever with declamations against idolatry; with dismal presages concerning the Queen's marriage with a foreigner; and with bitter reproaches against those who, from interested motives, had deserted that cause which they once reckoned it their honour to support. The people, inflamed by such vehement declamations, which were dictated by a zeal more sincere than prudent, proceeded to rash and unjustifiable acts of violence. During the Queen's absence, on a progress into the west, mass continued to be celebrated in her chapel at Holyrood-house. The multitude of those who openly resorted thither, gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the service, and filled such as were present with the utmost conster- and occasions a tumult among the people. August.

[u] Knox, 331.

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nation. Two of the ringleaders in this tumult were seized, and a day appointed for their trial[x].

1563. Knox tried on that account, but acquitted. October 8.

Knox, who deemed the zeal of these persons laudable, and their conduct meritorious, considered them as sufferers in a good cause; and in order to screen them from danger, he issued circular letters, requiring all who professed the true religion, or were concerned for the preservation of it, to assemble at Edinburgh, on the day of trial, that by their presence they might comfort and assist their distressed brethren[y]. One of these letters fell into the Queen's hands. To assemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to prosecute Knox for that crime, before the privy council. Happily for him, his judges were not only zealous Protestants, but the very men who, during the late commotions, had openly resisted and set at defiance the Queen's authority. It was under precedents drawn from their own conduct that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him without condemning themselves. After a long hearing, to the astonishment of Lethington and the other courtiers[z], he was unanimously acquitted. Sinclair, Bishop of Ross, and president of the Court of Session, a zealous papist, heartily concurred with the other counsellors in this decision[a]; a remarkable fact, which shows the unsettled state of government

Dec. 15.

[x] Knox, 335.
[y] Ibid. 336.
[z] Calderw. MS. Hist. i. 832.
[a] Knox, 343.

in that age; the low condition to which regal authority was then sunk; and the impunity with which subjects might invade those rights of the crown which are now held sacred. BOOK III. 1563.

The marriage of the Scottish Queen continued still to be the object of attention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her with a disgustful reserve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom she destined to be her husband, without directly mentioning his name; yet Mary framed all her actions to express such a prudent respect for the English Queen, that foreign Princes began to imagine she had given herself up implicitly to her direction [b]. The prospect of this union alarmed Catherine of Medicis. Though Catherine had taken pleasure all along in doing ill offices to the Queen of Scots; though soon after the Duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject the Duke of Chatelherault of his pension, and by bestowing the command of the Scottish guards on a Frenchman [c]; she resolved, however, to prevent this dangerous conjunction of the British Queens. For this purpose she now employed all her art to appease Mary [d], to whom she had given so many causes of offence. The arrears of her dowry were instantly paid; more punctual remittances were promised for the future; and offers made, not only to 1564. Negotiations with regard to the Queen's marriage.

[b] Keith, 248. [c] Ibid. 244.

[d] See Append. No. VIII.

BOOK III. 1564.

restore but to extend the privileges of the Scottish nation in France. It was easy for Mary to penetrate into the motives of this sudden change; she well knew the character of her mother-in-law, and laid little stress upon professions of friendship which came from a Princess of such a false and unfeeling heart.

The negotiation with England, relative to the marriage, suffered no interruption from this application of the French Queen. As Mary, in compliance with the wishes of her subjects, and pressed by the strongest motives of interest, determined speedily to marry, Elizabeth was obliged to break that unaccountable silence which she had hitherto affected. The secret was disclosed, and her favourite Lord Robert Dudley, afterwards Earl of Leicester, was declared to be the happy man whom she had chosen to be the husband of a Queen courted by so many Princes [e]. Elizabeth's wisdom and penetration were remarkable in the choice of her ministers; in distinguishing her favourites, those great qualities were less conspicuous. She was influenced in two cases so opposite, by merit of very different kinds. Their capacity for business, their knowledge, their prudence, were the talents to which alone she attended in choosing her ministers; whereas beauty and gracefulness of person, polished manners, and courtly address, were the accomplishments on which she bestowed her favour. She acted in the one case with the wisdom of a Queen, in the other she discovered the weakness of a woman. To this

March. Elizabeth recommends Leicester to her for a husband.

[e] Keith, 251.

Leicester owed his grandeur. Though remarkable neither for eminence in virtue nor superiority of abilities, the Queen's partiality distinguished him on every occasion. She raised him to the highest honours, she bestowed on him the most important employments, and manifested an affection so disproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence [f]. BOOK III. 1564.

Mary offended at this.

The high spirit of the Scottish Queen could not well bear the first overture of a match with a subject. Her own rank, the splendour of her former marriage, and the solicitations at this time of so many powerful Princes, crowded into her thoughts, and made her sensibly feel how humbling and disrespectful Elizabeth's proposal was. She dissembled, however, with the English resident; and though she declared, in strong terms, what a degradation she would deem this alliance, which brought along with it no advantage that could justify such neglect of her own dignity, she mentioned the Earl of Leicester, notwithstanding, in terms full of respect [g].

Elizabeth's views in recommending him.

Elizabeth, we may presume, did not wish that the proposal should be received in any other manner. After the extraordinary marks she had given of her own attachment to Leicester, and while he was still in the very height of favour, it is not probable she could think seriously of bestowing him upon another. It was not her aim to persuade, but only to amuse Mary [h]. Almost three years were

[f] Camden, 549.
[g] Keith, 252.
[h] Melv. 104, 105.

BOOK III. 1564.

elapsed since her return into Scotland; and though solicited by her subjects, and courted by the greatest Princes in Europe, she had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. If at this time the English Queen could have engaged Mary to listen to her proposal in favour of Leicester, her power over this creature of her own would have enabled her to protract the negotiation at pleasure; and, by keeping her rival unmarried, she would have rendered the prospect of her succession less acceptable to the English.

Leicester's own situation was extremely delicate and embarrassing. To gain possession of the most amiable woman of the age, to carry away this prize from so many contending Princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a subject much more considerable than him. He saw all these advantages, no doubt; and, in secret, they made their full impression on him. But, without offending Elizabeth, he durst not venture on the most distant discovery of his sentiments, or take any step towards facilitating his acquisition of objects so worthy of desire.

On the other hand, Elizabeth's partiality towards him, which she was at no pains to conceal [i], might inspire him with hopes of attaining the supreme rank in a kingdom more illustrious than Scotland. Elizabeth had often declared that nothing but her resolution to lead a single life, and his being born her own subject, would have hindered her from choosing

[i] Melv. 93, 94.

the Earl of Leicester for a husband. Such considerations of prudence are, however, often surmounted by love; and Leicester might flatter himself, that the violence of her affection would at length triumph both over the maxims of policy and the scruples of pride. These hopes induced him, now and then, to conclude the proposal of his marriage with the Scottish Queen to be a project for his destruction; and he imputed it to the malice of Cecil, who, under the specious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary [k]. BOOK III. 1564.

A treaty of marriage, proposed by one Queen, who dreaded its success; listened to by another, who was secretly determined against it; and scarcely desired by the man himself, whose interest and reputation it was calculated, in appearance, to promote; could not, under so many unfavourable circumstances, be brought to a fortunate issue. Both Elizabeth and Mary continued, however, to act with equal dissimulation. The former, notwithstanding her fears of losing Leicester, solicited warmly in his behalf. The latter, though she began about this time to cast her eyes upon another subject of England, did not at once venture finally to reject Elizabeth's favourite.

Mary entertains thoughts of marrying Lord Darnly.

The person towards whom Mary began to turn her thoughts, was Henry Stewart Lord Darnly, eldest son of the Earl of Lennox. That nobleman, having been driven out of Scotland, under the regency of the Duke of Chatelherault, had lived in ba-

[k] Melv. 101.

BOOK III. 1564.

nishment for twenty years. His wife, Lady Margaret Douglas, was Mary's most dangerous rival in her claim upon the English succession. She was the daughter of Margaret, the eldest sister of Henry VIII., by the Earl of Angus, whom that Queen married after the death of her husband James IV. In that age, the right and order of succession was not settled with the same accuracy as at present. Time, and the decision of almost every case that can possibly happen, have at last introduced certainty into a matter, which naturally is subject to all the variety arising from the caprice of lawyers, guided by obscure and often imaginary analogies. The Countess of Lennox, though born of a second marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand-daughter, of Margaret. This was not the only advantage over Mary which the Countess of Lennox enjoyed. She was born in England, and, by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at the time of his birth, were in the obedience of the King of England, cannot enjoy any inheritance in the kingdom[1]." This maxim, Hales, an English lawyer, produced in a treatise which he published at this time, and endeavoured to apply it to the right of succession to the crown. In a private cause these pretexts might have given rise to a long and doubtful litigation; where a crown was at stake, such nice disputes and subtilties were to be avoided with the utmost care.

[1] Carte, Hist. of Eng. vol. iii. 422.

If Darnly should happen to contract an alliance with any of the powerful families in England, or should publicly profess the Protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretensions of a foreigner and of a Papist. 1564.

Mary was aware of all this; and, in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year one thousand five hundred and sixty-two[m], both the Earl and the Lady Margaret were taken into custody by Elizabeth's orders, on account of their holding a secret correspondence with the Scottish Queen.

Elizabeth secretly pleased with this.

From the time that Mary became sensible of the difficulties which would attend her marrying a foreign Prince, she entered into a still closer connexion with the Earl of Lennox[n], and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth; but a transaction of so much importance did not escape the notice of that discerning Princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish Queen stoop at last to the thoughts of taking a subject to her bed. Darnly was in no situation to excite her jealousy or her fears. His father's estate lay in England, and by means of this pledge she hoped to keep the negotiation entirely in her own hands, to play the same game of artifice and delay, which she had plan-

[m] Camd. 389. [n] Ibid. 396.

BOOK III. 1564.

ned out, if her recommendation of Leicester had been more favourably received.

As, before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both sovereigns; no sooner did Lennox, under pretence of prosecuting his wife's claim upon the Earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than he obtained it. Together with it, she gave him letters, warmly recommending his person and cause to Mary's friendship and protection[o]. But at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction, she warned Mary, that this indulgence of Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animosity between him and the house of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned for some time a total interruption of all correspondence between the two Queens[p]. Mary was not a little alarmed at this; she both dreaded the effects of Elizabeth's resentment, and felt sensibly the disadvantage of being excluded from a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negotiations, which increased the number of her partisans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it

[o] Keith, 255. 268. [p] Keith, 253. Melv. 83.

no difficult matter to bring about a reconcilement; and soon re-established the appearance, but not the confidence, of friendship, which was all that had subsisted for some time between the two Queens. BOOK III. 1564.

During this negotiation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his mistress, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended, without injustice, to both Queens. "There was neither plain-dealing, nor upright meaning, but great dissimulation, envy, and fear[q]."

Lennox arrives in Scotland.

Lennox, however, in consequence of the licence which he had obtained, set out for Scotland, and was received by the Queen, not only with the respect due to a nobleman so nearly allied to the royal family, but treated with a distinguished familiarity which could not fail of inspiring him with more elevated hopes. The rumour of his son's marriage to the Queen began to spread over the kingdom; and the eyes of all Scotland were turned upon him as the father of their future master. The Duke of Chatelherault was the first to take the alarm. He considered Lennox as the ancient and hereditary enemy of the house of Hamilton; and, in his grandeur, saw the ruin of himself and his friends. But the Queen interposed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences[r].

The powerful family of Douglas no less dreaded

[q] Melv. 104.

[r] Keith, 259.

BOOK III. 1564. Lennox's return, from an apprehension that he would wrest the earldom of Angus out of their hands. But the Queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchase their friendship by allowing his Lady's claim upon the earldom of Angus to drop[s].

December. After these preliminary steps, Mary ventured to call a meeting of parliament. The act of forfeiture passed against Lennox in the year one thousand five hundred and forty-five was repealed, and he was publicly restored to the honours and estate of his ancestors[t].

June 25. Dec. 25. The clergy suspicious of the Queen's zeal for popery.

The ecclesiastical transactions of this year were not considerable. In the assemblies of the church, the same complaints of the increase of idolatry, the same representations concerning the poverty of the clergy, were renewed. The reply which the Queen made to these, and her promises of redress, were more satisfying to the Protestants than any they had hitherto obtained[u]. But, notwithstanding her declarations in their favour, they could not help harbouring many suspicions concerning Mary's designs against their religion. She had never once consented to hear any preacher of the reformed doctrine. She had abated nothing of her bigoted attachment to the Romish faith. The genius of that superstition, averse at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated assurances of

[s] Keith, 268. Note (*b*).
[t] See Append. No. IX.
[u] Keith, 533. 539.

her resolution to re-establish the Catholic church[x]. She had industriously avoided every opportunity of ratifying the acts of parliament one thousand five hundred and sixty, in favour of the Reformation. Even the protection which, ever since her return, she had afforded the Protestant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till she should take some final order in the matter of religion[y]." The vigilant zeal of the preachers was inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people, in language which they deemed suitable to the necessity of the times, and which the Queen reckoned disrespectful and insolent. In a meeting of the General Assembly, Maitland publicly accused Knox of teaching seditious doctrine, concerning the right of subjects to resist those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught; and upon this general doctrine of resistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admirably displays the talents and character of both the disputants; the acuteness of the former, embellished with learning, but prone to subtilty; the vigorous understanding of the latter, delighting in bold sentiments, and superior to all fear[z].

BOOK III. 1564.

Two years had already been consumed in fruit- 1565.

[x] Carte, vol. iii. 415. [y] Keith, 504. 510. [z] Knox, 349.

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nation now prompted her to conclude her marriage, the first thoughts of which had been suggested by considerations merely political.

Elizabeth contributed, and perhaps not without design, to increase the violence of this passion. Soon after Darnly's arrival in Scotland, she, in return to that message whereby Mary had signified her willingness to accept of Leicester, gave an answer in such terms as plainly unravelled her original intention in that intrigue[d]. She promised, if the Scottish Queen's marriage with Leicester should take place, to advance him to great honours; but, with regard to Mary's title to the English succession, she would neither suffer any legal inquiry to be made concerning it, nor permit it to be publicly recognised, until she herself should declare her resolution never to marry. Notwithstanding Elizabeth's former promises, Mary had reason to expect every thing contained in this reply; her high spirit, however, could not bear with patience such a cruel discovery of the contempt, the artifice, and mockery, with which, under the veil of friendship, she had been so long abused. She burst into tears of indignation, and expressed, with the utmost bitterness, her sense of that disingenuous craft which had been employed to deceive her[e].

The natural effect of this indignation was to add to the impetuosity with which she pursued her own scheme. Blinded by resentment as well as by love, she observed no defects in the man whom she had chosen; and began to take the necessary steps to-

[d] Keith, 270. App. 158. [e] Ibid. App. 159.

wards accomplishing her design, with all the impatience natural to those passions. 1565.

As Darnly was so nearly related to the Queen, the canon law made it necessary to obtain the Pope's dispensation before the celebration of the marriage. For this purpose she early set on foot a negotiation with the court of Rome[f].

The French court approve of the match.

She was busy, at the same time, in procuring the consent of the French King and his mother. Having communicated her design, and the motives which determined her choice, to Castelnau the French ambassador, she employed him, as the most proper person, to bring his court to fall in with her views. Among other arguments to this purpose, Castelnau mentioned Mary's attachment to Darnly, which he represented to be so violent and deep-rooted, that it was no longer in her own power to break off the match[g]. Nor were the French ministers backward in encouraging Mary's passion. Her pride would never stoop to an alliance with a subject of France. By this choice they were delivered from the apprehension of a match with any of the Austrian Princes, as well as the danger of too close an union with Elizabeth; and as Darnly professed the Roman Catholic religion, this suited the bigoted schemes which that court adopted.

Darnly disgusts several of the nobles,

While Mary was endeavouring to reconcile foreign courts to a measure which she had so much at heart, Darnly and his father, by their behaviour, were raising up enemies at home to obstruct it. Lennox had, during the former part of his life, discovered

[f] Camd. 396. [g] Casteln. 464.

BOOK III. 1565.

no great compass of abilities or political wisdom; and appears to have been a man of a weak understanding and violent passions. Darnly was not superior to his father in understanding, and all his passions were still more impetuous [h]. To these he added that insolence, which the advantage of external form, when accompanied with no quality more valuable, is apt to inspire. Intoxicated with the Queen's favour, he began already to assume the haughtiness of a King, and to put on that imperious air, which majesty itself can scarcely render tolerable.

particularly Murray.

It was by the advice, or at least with the consent, of Murray and his party, that Lennox had been invited into Scotland [i]: and yet, no sooner did he acquire a firm footing in that kingdom, than he began to enter into secret cabals with those noblemen who were known to be avowed enemies to Murray, and, with regard to religion, to be either neutrals, or favourers of popery [k]. Darnly, still more imprudent, allowed some rash expressions concerning those favours which the Queen's bounty had conferred upon Murray to escape him [l].

But, above all these, the familiarity which Darnly cultivated with David Rizio, contributed to increase the suspicion and disgust of the nobles.

The rise of Rizio's favour.

The low birth and indigent condition of this man placed him in a station in which he ought naturally to have remained unknown to posterity. But what fortune called him to act and to suffer in Scotland,

[h] Keith, 272, 273.
[i] Knox, 367. Keith, 274.
[k] Keith, 272.
[l] Ibid. 274.

obliges history to descend from its dignity, and to record his adventures. He was the son of a musician in Turin, and, having accompanied the Piedmontese ambassador into Scotland, gained admission into the Queen's family by his skill in music. As his dependent condition had taught him suppleness of spirit and insinuating manners, he quickly crept into the Queen's favour, and (her French secretary happening to return at that time into his own country) was preferred by her to that office. He now began to make a figure in court, and to appear as a man of consequence. The whole train of suitors and expectants, who have an extreme sagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the Queen, and he grew to be considered not only as a favourite, but as a minister. Nor was Rizio careful to abate that envy which always attends such an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour. He affected to talk often and familiarly with the Queen in public. He equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants. He discovered, in all his behaviour, that assuming insolence with which unmerited prosperity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power, it was with the utmost difficulty that they tolerated the arrogance, of this unworthy minion. Even in the Queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone

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which exasperated the Scots. They considered him, and not without reason, as a dangerous enemy to the Protestant religion, and suspected that he held, for this purpose, a secret correspondence with the court of Rome [m].

Darnly's connection with him.

It was Darnly's misfortune to fall under the management of this man, who, by flattery and assiduity, easily gained on his vanity and inexperience. All Rizio's influence with the Queen was employed in his behalf, and contributed, without doubt, towards establishing him more firmly in her affections [n]. But whatever benefit Darnly might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was exposed on account of his familiarity with such an upstart.

Though Darnly daily made progress in the Queen's affection, she conducted herself, however, with such prudent reserve, as to impose on Randolph, the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he entertained not the least suspicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish Queen had no design of marrying Darnly [o]. In the midst of this security, Mary dispatched Maitland to signify her intention to Elizabeth, and to solicit her consent to the marriage with Darnly. This embassy was the first thing which opened the eyes of Randolph.

April 18. Elizabeth affected the greatest surprise at this

[m] Buchan. 340. Melv. 107.
[n] Melv. 111.
[o] Keith, 273. and Append. 159.

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sudden resolution of the Scottish Queen, but without reason. The train was laid by herself, and she had no cause to wonder when it took effect. She expressed at the same time her disapprobation of the match in the strongest terms; and pretended to foresee many dangers and inconveniencies arising from it to both kingdoms. But this too was mere affectation. Mary had often and plainly declared her resolution to marry. It was impossible she could make any choice more inoffensive. The danger of introducing a foreign interest into Britain, which Elizabeth had so justly dreaded, was entirely avoided. Darnly, though allied to both crowns, and possessed of lands in both kingdoms, could be formidable to neither. It is evident from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be serious; and that in all her violent declarations against Darnly, there was much more of grimace than of reality [P].

Elizabeth declares against the Queen's marriage with Darnly.

There were not wanting, however, political motives of much weight, to induce that artful Princess to put on the appearance of great displeasure. Mary, intimidated by this, might perhaps delay her marriage; which Elizabeth desired to obstruct with a

[P] Even the historians of that age acknowledge, that the marriage of the Scottish Queen with a subject was far from being disagreeable to Elizabeth. Knox, 369. 373. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, asserts, upon grounds of great probability, that the match was wholly Elizabeth's own work; Casteln. 462.; and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors. Keith, 280. 288.

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weakness that little suited the dignity of her mind and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and, by declaring her dissatisfaction with Mary's conduct, she hoped to alarm that party in Scotland which was attached to the English interest, and to encourage such of the nobles as secretly disapproved the match, openly to oppose it. The seeds of discord would by this means be scattered through that kingdom. Intestine commotions might arise. Amidst these, Mary could form none of those dangerous schemes to which the union of her people might have prompted her. Elizabeth would become the umpire between the Scottish Queen and her contending subjects; and England might look on with security, while a storm which she had raised, wasted the only kingdom which could possibly disturb its peace.

May 1.

In prosecution of this scheme, she laid before her privy council the message from the Scottish Queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her secret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom[q]. Nor did she think it enough to signify her disapprobation of the measure, either by Maitland, Mary's ambassador, or by Randolph, her own resident in Scotland: in order to add more dignity to the farce

Sends Throgmorton to obstruct it.

[q] Keith, 274. See Append. No. X.

which she chose to act, she appointed Sir Nicholas Throgmorton her ambassador extraordinary. She commanded him to declare, in the strongest terms, her dissatisfaction with the step which Mary proposed to take; and at the same time to produce the determination of the privy council as an evidence that the sentiments of the nation were not different from her own. Not long after, she confined the Countess of Lennox as a prisoner, first in her house, and then sent her to the Tower[r]. BOOK III. 1565.

Intelligence of all this reached Scotland before the arrival of the English ambassador. In the first transports of her indignation, Mary resolved no longer to keep any measures with Elizabeth; and sent orders to Maitland, who accompanied Throgmorton, to return instantly to the English court, and in her name to declare to Elizabeth that, after having been amused so long to so little purpose; after having been fooled and imposed on so grossly by her artifices; she was now resolved to gratify her own inclination, and to ask no other consent but that of her own subjects, in the choice of an husband. Maitland, with his usual sagacity, foresaw all the effects of such a rash and angry message, and ventured rather to incur the displeasure of his mistress, by disobeying her commands, than to be made the instrument of tearing asunder so violently the few remaining ties which still linked together the two Queens[s].

Mary herself soon became sensible of her error. She received the English ambassador with respect;

[r] Keith, Append. 161. [s] Ibid. 160.

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justified her own conduct with decency; and though unalterable in her resolution, she affected a wonderful solicitude to reconcile Elizabeth to the measure; and even pretended, out of complaisance towards her, to put off the consummation of the marriage for some months[t]. It is probable, however, that the want of the Pope's dispensation, and the prospect of gaining the consent of her own subjects, were the real motives of this delay.

Murray's aversion to Darnly.

This consent Mary laboured with the utmost industry to obtain. The Earl of Murray was the person in the kingdom, whose concurrence was of the greatest importance; but she had reason to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the Queen's affections began gradually to be estranged from him. Darnly, Athol, Rizio, all the court favourites, combined against him. His ambitious spirit could not brook this diminution of his power, which his former services had so little merited. He retired into the country, and gave way to rivals with whom he was unable to contend[u]. The return of the Earl of Bothwell, his avowed enemy, who had been accused of a design upon his life, and who had resided for some time in foreign countries, obliged him to attend to his own safety. No entreaty of the Queen could persuade him to a reconcilement with that nobleman. He insisted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durst not ap-

[t] Keith, 278.

[u] Ibid. 272. 274. Append. 159.

pear in opposition to a man, who came to the place of trial attended by five thousand of his followers on horseback. He was once more constrained to leave the kingdom; but, by the Queen's command, the sentence of outlawry, which is incurred by non-appearance, was not pronounced against him[x]. BOOK III. 1565.

Mary, sensible, at the same time, of how much importance it was to gain a subject so powerful and so popular as the Earl of Murray, invited him back to court, and received him with many demonstrations of respect and confidence. At last she desired him to set an example to her other subjects by subscribing a paper containing a formal approbation of her marriage with Darnly. Murray had many reasons to hesitate, and even to withhold his assent. Darnly had not only undermined his credit with the Queen, but discovered, on every occasion, a rooted aversion to his person. By consenting to his elevation to the throne, he would give him such an accession of dignity and power as no man willingly bestows on an enemy. The unhappy consequences which might follow upon a breach with England, were likewise of considerable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the system of national politics had been brought about. A league with England had been established; and he could not think of sacrificing, to a rash and youthful passion, an alliance of so much utility to the kingdom; and which he and May 8.

[x] Keith, Append. 160.

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the other nobles were bound, by every obligation, to maintain[y]. Nor was the interest of religion forgotten on this occasion. Mary, though surrounded by Protestant counsellors, had found means to hold a dangerous correspondence with foreign Catholics. She had even courted the Pope's protection, who had sent her a subsidy of eight thousand crowns[z]. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to set the Queen's conduct in the most favourable light, yet her obstinate adherence to her own religion could not fail of alarming him; and by her resolution to marry a Papist, the hope of reclaiming her, by an union with a Protestant, was for ever cut off[a]. Each of these considerations had its influence on Murray, and all of them determined him to decline complying at that time with the Queen's request.

May 14. A convention of the nobles approves of the marriage.

The convention of nobles, which was assembled a few days after, discovered a greater disposition to gratify the Queen. Many of them, without hesitation, expressed their approbation of the intended match; but as others were startled at the same dangers which had alarmed Murray, or were influenced by his example to refuse their consent, another convention was appointed at Perth, in order to deliberate more fully concerning this matter[b].

Meanwhile Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The oppo-

[y] Keith, Append. 169. [z] Keith, 295. Melv. 114.
[a] Keith, Append. 160. [b] Keith, 283. Knox, 373.

sition she had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection so excessive to the influence of witchcraft[c]. It was owing, however, to no other charm than the irresistible power of youth and beauty over a young and tender heart. Darnly grew giddy with his prosperity. Flattered by the love of a Queen, and the applause of many among her subjects, his natural haughtiness and insolence became insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven happening to be the first person who informed him that Mary, in order to sooth Elizabeth, had delayed for some time creating him Duke of Albany, he, in a phrensy of rage, drew his dagger, and attempted to stab him[d]. It required all Mary's attention to prevent his falling under that contempt to which such behaviour deservedly exposed him.

Mary's address in gaining her subjects.

In no scene of her life was ever Mary's own address more remarkably displayed. Love sharpened her invention, and made her study every method of gaining her subjects. Many of the nobles she won by her address, and more by her promises. On some she bestowed lands, to others she gave new titles of honour[e]. She even condescended to court the Protestant clergy; and having invited three of their superintendants to Stirling, she declared, in strong terms, her resolution to protect their religion, ex-

[c] Keith, 283. [d] Ibid. Append. 160. [e] Keith, 283.

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pressed her willingness to be present at a conference upon the points in doctrine which were disputed between the Protestants and Papists, and went so far as to show some desire to hear such of their preachers as were most remarkable for their moderation[f]. By these arts the Queen gained wonderfully upon the people, who, unless their jealousy be raised by repeated injuries, are always ready to view the actions of their sovereign with an indulgent eye.

On the other hand, Murray and his associates were plainly the dupes of Elizabeth's policy. She talked in so high a strain of her displeasure at the intended match; she treated Lady Lennox with so much rigour; she wrote to the Scottish Queen in such high terms; she recalled the Earl of Lennox and his son in such a peremptory manner, and with such severe denunciations of her vengeance if they should presume to disobey[g]; that all these expressions of aversion fully persuaded them of her sincerity. This belief fortified their scruples with respect to the match, and encouraged them to oppose it. They began with forming among themselves bonds of confederacy and mutual defence; they entered into a secret correspondence with the English resident, in order to secure Elizabeth's assistance when it should become needful[h]; they endeavoured to fill the nation with such apprehensions of danger, as might counterbalance the influence of those arts which the Queen had employed.

Schemes of Darnly

Besides these intrigues, there were secretly carried on, by both parties, dark designs of a more criminal

[f] Knox, 373. [g] Keith, 285, 286. [h] Ibid. 289. 292. 298.

nature, and more suited to the spirit of the age. Darnly, impatient of that opposition, which he imputed wholly to Murray, and resolving at any rate to get rid of such a powerful enemy, formed a plot to assassinate him during the meeting of the convention at Perth. Murray, on his part, despairing of preventing the marriage by any other means, had, together with the Duke of Chatelherault and the Earl of Argyll, concerted measures for seizing Darnly, and carrying him a prisoner into England.

1565. and Murray against each other.

If either of these conspiracies had taken effect, this convention might have been attended with consequences extremely tragical; but both were rendered abortive by the vigilance or good fortune of those against whom they were formed. Murray, being warned of his danger by some retainers to the court, who still favoured his interest, avoided the blow by not going to Perth. Mary, receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnly, to the other side of Forth. Conscious, on both sides, of guilt, and inflamed with resentment, it was impossible they could either forget the violence which themselves had meditated, or forgive the injuries intended against them. From that moment all hope of reconcilement was at an end, and their mutual enmity burst out with every symptom of implacable hatred[i].

[i] The reality of these two opposite conspiracies has given occasion to many disputes and much contradiction. Some deny that any design was formed against the life of Murray; others call in question the truth of the conspiracy against Darnly. There seems, however, to be plausible reasons for believing that there is some foundation for what has been asserted with regard

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On Mary's return to Edinburgh, she summoned her vassals by proclamation, and solicited them by her letters to repair thither in arms, for the protection of her person against her foreign and domestic enemies[k]. She was obeyed with all the promptness and alacrity with which subjects run to defend

Mary summons her vassals to take arms against Murray.

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to both; though the zeal and credulity of party-writers have added to each many exaggerated circumstances. The following arguments render it probable that some violence was intended against Murray:

I. 1. This is positively asserted by Buchanan, 341. 2. The English resident writes to Cecil, that Murray was assuredly informed that a design was formed of murdering him at Perth, and mentions various circumstances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impossible that he could have written in this strain to such a discerning minister. Keith, 287. 3. Murray himself constantly and publicly persisted in affirming that such a design was formed against his life. Keith, App. 108. He was required by the Queen to transmit in writing an account of the conspiracy which he pretended had been formed against his life. This he did accordingly: but, "when it was brought to Her Majesty by her servants sent for that purpose, it appears *be* Her Highness and her council, that his purgation in that behalf was not so sufficient as the matter required." Keith, App. 109. He was therefore summoned to appear within three days before the Queen in Holyrood-house; and, in order to encourage him to do so, a safe-conduct was offered to him. Ibid. Though he had once consented to appear, he afterwards declined to do so. But whoever considers Murray's situation, and the character of those who directed Mary's councils at that time, will hardly deem it a decisive proof of his guilt, that he did not choose to risk his person on such security. 4. The furious passions of Darnly, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, render the imputations of such a crime less improbable.

[k] Keith, 298.

a mild and popular administration. This popularity, however, she owed in a great measure to Murray, who had directed her administration with great prudence. But the crime of opposing her marriage obliterated the memory of his former services; and Mary, impatient of contradiction, and apt to consi- BOOK III. 1565.

II. That Murray and his associates had resolved to seize Darnly in his return from Perth, appears with still greater certainty; 1. From the express testimony of Melvil, 112; although Buchanan, p. 341, and Knox, p. 377, affect, without reason, to represent this as an idle rumour. 2. The question was put to Randolph, Whether the Governor of Berwick would receive Lennox and his son, if they were delivered at that place? His answer was, "that they would not refuse their own, i. e. their own subjects in whatsoever sort they came unto us, i. e. whether they returned to England voluntarily, as they had been required, or were brought thither by force." This plainly shows, that some such design was in hand, and Randolph did not discourage it by the answer which he gave. Keith, 290. 3. The precipitation with which the Queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph. Keith, 291. 4. A great part of the Scottish nobles, and among these the Earls of Argyll and Rothes, who were themselves privy to the design, assert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances rendered the truth of both conspiracies probable. But we may observe how far this proof, though drawn from public records, falls short, on both sides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conspiracy against Murray, differ widely in almost every circumstance. The accounts of the attempt upon Darnly are not more consistent. Melvil alleges, that the design of the conspirators was to carry Darnly a prisoner into England; the proposal made to Randolph agrees with this. Randolph says, that they intended to carry the Queen to St. Andrew's and Darnly to Castle Campbell. The Lords, in their declaration, affirm the design of the conspirators to have been to murder Darnly

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der those who disputed her will as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose she summoned him to appear before her upon a short warning, to answer to such things as should be laid to his charge[l]. At this very time, Murray and the Lords who adhered to him were assembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran so strongly against them, and, notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the Queen in a matter which so nearly concerned her, that, without coming to any other conclusion than to implore the Queen of England's protection,

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and his father, to confine the Queen in Lochleven during life, and to usurp the government. To believe implicitly whatever they find in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the slanders of a party, and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things asserted in it, are evidently false or exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their Sovereign for life, and to seize the reins of government; but, at that time, the Queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, Appendix, 108, &c. neither the violent attempt upon Darnly, nor that which he is alleged to have formed against the Queen herself, is ever once mentioned.

[k] Keith, 298.

[l] Ibid. Append. 108.

they put an end to their ineffectual consultations, and returned every man to his own house.

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Together with this discovery of the weakness of her enemies, the confluence of her subjects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the Queen was in this prosperous situation, she determined to bring to a period an affair which had so long engrossed her heart and occupied her attention. On the twenty-ninth of July she married Lord Darnly. The ceremony was performed in the Queen's chapel, according to the rites of the Romish church; the Pope's bull dispensing with their marriage having been previously obtained[m]. She issued at the same time proclamations, conferring the title of King of the Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of King and Queen[n]. Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to choose a husband without consent of parliament, was, in that age, a matter of some dispute[o]; that she had no right to confer upon him, by her private authority, the title and dignity of King, or by a simple proclamation to raise her husband to be the master of her people, seems to be beyond all doubt. Francis II., indeed, bore the same title. It was not, however, the gift of the Queen, but of the nation; and the consent of Parliament was obtained before

Celebrates her marriage with Darnly.

[m] Keith, 307.

[n] Anderson, i. 33. See Append. No. XI.

[o] Buchan. 341.

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he ventured to assume it. Darnly's condition, as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But at that time the Queen possessed so entirely the confidence of her subjects, that, notwithstanding all the clamours of the malcontents, no symptoms of general discontent appeared on that account.

Even amidst that scene of joy which always accompanies successful love, Mary did not suffer the course of her vengeance against the malcontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and, upon his non-appearance, the rigour of justice took place, and he was declared an outlaw[p]. At the same time the Queen set at liberty Lord Gordon, who, ever since his father's insurrection in the year one thousand five hundred and sixty-two, had been detained a prisoner; she recalled the Earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and she permitted Bothwell to return again into Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families and the author of their own sufferings. This common hatred became the foundation

[p] Keith, 309, 310.

of the strictest union with the Queen, and gained them an ascendant over all her councils. Murray himself considered this confederacy with his avowed enemies, as a more certain indication than any measure she had yet taken, of her inexorable resentment.

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Marches against Murray and his associates.

The malcontents had not yet openly taken up arms[q]. But the Queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable to make head against the numerous forces which Mary had assembled; and fled into Argyleshire, in expectation of aid from Elizabeth, to whom they had secretly dispatched a messenger in order to implore her immediate assistance[r].

Elizabeth interposes in their favour.

Meanwhile Elizabeth endeavoured to embarrass Mary by a new declaration of disgust at her conduct. She blamed both her choice of Lord Darnly, and the precipitation with which she had concluded the marriage. She required Lennox and Darnly, whom she still called her subjects, to return into England; and at the same time she warmly interceded in behalf of Murray, whose behaviour she represented to benot only innocent but laudable. This

[q] After their fruitless consultation in Stirling, the Lords retired to their own houses. Keith, 304. Murray was still at St. Andrew's on July 22. Keith, 306. By the places of rendezvous, appointed for the inhabitants of the different counties, August 4, it appears that the Queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldy, and other chiefs of the malcontents, resided. Keith, 310. Their flight into the west, Keith, 312, prevented this expedition, and the former rendezvous was altered. Keith, 310.

[r] Keith, 312. Knox, 380.

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message, so mortifying to the pride of the Queen, and so full of contempt for her husband, was rendered still more insupportable by the petulant and saucy demeanour of Tamworth, the person who delivered it[s]. Mary vindicated her own conduct with warmth, but with great strength of reason; and rejected the intercession in behalf of Murray, not without signs of resentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom[t].

She did not, on that account, intermit in the least the ardour with which she pursued Murray and his adherents[u]. They now appeared openly in arms; and, having received a small supply in money from Elizabeth[x], were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, executed with vigour, and attended with success. In order to encourage her troops, she herself marched along with them, rode with loaded pistols[y], and endured all the fatigues of war with admirable fortitude. Her alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the malcontents from facing them in the field: but,

[s] Camd. 398. [t] Keith, Append. 99.

[u] The most considerable persons who joined Murray were, the Duke of Chatelherault, the Earls of Argyll, Glencairn, Rothes, Lord Boyd and Ochiltree; the Lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pitarrow, Comptroller, and the Tutor of Pitcur. Knox, 382.

[x] Knox, 380. [y] Keith, Append. 164.

having artfully passed the Queen's army, they marched with great rapidity to Edinburgh, and endeavoured to rouse the inhabitants of that city to arms. The Queen did not suffer them to remain long unmolested; and on her approach they were forced to abandon that place, and retire in confusion towards the western borders[z]. BOOK III. 1565. August 31.

As it was uncertain, for some time, what route they had taken, Mary employed that interval in providing for the security of the counties in the heart of the kingdom. She seized the places of strength which belonged to the rebels; and obliged the considerable barons in those shires which she most suspected, to join in associations for her defence[a]. Having thus left all the country behind her in tranquillity, she, with an army eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had sent letters to the Queen, from almost every place where they halted, full of submission, and containing various overtures towards an accommodation. But Mary, who determined not to let slip such a favourable opportunity of crushing the mutinous spirit of her subjects, rejected them with disdain. As she advanced, the malcontents retired; and having received no effectual aid from Elizabeth[b], they despaired of any other means of safety, fled into England, and put themselves under the protection of the Earl of Bedford, warden of the marches. They are obliged to retire into England. Oct. 20.

Nothing which Bedford's personal friendship for

[z] Keith, 315. [a] Ibid. 113.
[b] See Append. No. XII. XIII.

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Murray could supply, was wanting to render their retreat agreeable. But Elizabeth herself treated them with extreme neglect. She had fully gained her end, and, by their means, had excited such discord and jealousies among the Scots, as would, in all probability, long distract and weaken Mary's councils. Her business now was to save appearances, and to justify herself to the ministers of France and Spain, who accused her of fomenting the troubles in Scotland by her intrigues. The expedient she contrived for her vindication strongly displays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign Prince. Murray, and Hamilton, Abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, instead of meeting with that welcome reception which was due to men who, out of confidence in her promises, and in order to forward her designs, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly consented to acknowledge, in the presence of the French and Spanish ambassadors, that Elizabeth had given them no encouragement to take arms. No sooner did they make this declaration, than she astonished them with this reply: "You have declared the truth; I am far from setting an example of rebellion to my own subjects, by countenancing those who rebel against their lawful Prince. The treason of which you have been guilty is detestable; and as traitors I banish you from my presence[c]." Notwithstanding this scene

They meet with unexpected ill-treatment from Elizabeth.

[c] Melv. 112.

of farce and of falsehood, so dishonourable to all the persons who acted a part in it, Elizabeth permitted the malcontents peaceably to reside in her dominions, supplied them secretly with money, and renewed her intercession with the Scottish Queen in their favour[d]. BOOK III. 1565.

The advantage she had gained over them did not satisfy Mary; she resolved to follow the blow, and to prevent a party which she dreaded from ever recovering any footing in the nation. With this view, she called a meeting of parliament; and, in order that a sentence of forfeiture might be legally pronounced against the banished lords, she summoned them, by public proclamation, to appear before it[e].

The Duke of Chatelherault, on his humble application, obtained a separate pardon; but not without difficulty, as the King violently opposed it. He was obliged, however, to leave the kingdom, and to reside for some time in France[f]. Dec. 1.

The numerous forces which Mary brought into the field, the vigour with which she acted, and the length of time she kept them in arms, resemble the efforts of a Prince with revenues much more considerable than those which she possessed. But armies were then levied and maintained by Princes at small charge. The vassal followed his superior, and the superior attended the monarch, at his own expense. Six hundred horsemen, however, and three companies of foot, besides her guards, received regular pay from the Queen. This extraordinary charge, together with the disbursements occasioned by her marriage,

[d] Knox, 389. [e] Keith, 320. [f] Knox, 389.

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exhausted a treasury which was far from being rich. In this exigency, many devices were fallen upon for raising money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were suspected of favouring the malcontents. An unusual tax was imposed on the boroughs throughout the kingdom; and a great sum was demanded of the citizens of Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourse to delays, and started difficulties, in order to evade it. These Mary construed to be acts of avowed disobedience, and instantly committed several of them to prison. But this severity did not subdue the undaunted spirit of liberty which prevailed among the inhabitants. The Queen was obliged to mortgage to the city the *superiority* of the town of Leith, by which she obtained a considerable sum of money[g]. The thirds of ecclesiastical benefices proved another source whence the Queen derived some supply. About this time we find the Protestant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhausted a great part of that fund which was appropriated for their maintenance[h].

Church affairs.

The assemblies of the church were not unconcerned spectators of the commotions of this turbulent year. In the meeting held the twenty-fourth of June, previous to the Queen's marriage, several of the malcontent nobles were present, and seem to have had great influence on its decisions. The high strain in which the assembly addressed the

[g] Knox, 383. 386. [h] Maitl. Hist. of Edinburgh, 27.

Queen, can be imputed only to those fears and jealousies with regard to religion, which they endeavoured to infuse into the nation. The assembly complained, with some bitterness, of the stop which had been put to the progress of the Reformation by the Queen's arrival in Scotland; they required not only the total suppression of the popish worship throughout the kingdom, but even in the Queen's own chapel; and, besides the legal establishment of the Protestant religion, they demanded that Mary herself should publicly embrace it. The Queen, after some deliberation, replied, that neither her conscience nor her interest would permit her to take such a step. The former would for ever reproach her for a change which proceeded from no inward conviction; the latter would suffer by the offence which her apostasy must give to the King of France, and her other allies on the continent[i].

It is remarkable, that the prosperous situation of the Queen's affairs during this year, began to work some change in favour of her religion. The Earls of Lennox, Athol, and Cassils, openly attended mass; she herself afforded the Catholics a more avowed protection than formerly; and, by her permission, some of the ancient monks ventured to preach publicly to the people[k].

[i] Knox, 374. 376.

[k] Ibid. 389, 390.

THE

HISTORY

OF

SCOTLAND.

BOOK IV.

BOOK IV.

1566. Mary's deliberations concerning the exiled nobles.

AS the day appointed for the meeting of parliament approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malcontents had laboured to defeat a scheme, which her interest conspired her with her passions in rendering dear to her; they were the leaders of a party whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival, whom she had good reason both to fear and to hate.

But, on the other hand, several weighty considerations might be urged. The noblemen whose fate was in suspense were among the most powerful subjects in the kingdom; their wealth great, their connexions extensive, and their adherents nu-

merous. They were now at mercy, the objects of compassion, and suing for pardon with the most humble submission. 1566.

In those circumstances, an act of clemency would exalt the Queen's character, and appear no less splendid among foreigners than acceptable to her own subjects. Mary herself, though highly incensed, was not inexorable; but the King's rage was implacable and unrelenting. They were solicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the Congregation, were not forgetful of their ancient union with Murray and his fellow-sufferers; nor neglectful of their safety, which they deemed of great importance to the kingdom. Melvil, who at that time possessed the Queen's confidence, seconded their solicitations. And Murray having stooped so low as to court Rizio, that favourite, who was desirous of securing his protection against the King, whose displeasure he had lately incurred, seconded the intercessions of his other friends with the whole of his influence[a]. The interposition of Sir Nicholas Throgmorton, who had lately been Elizabeth's ambassador in Scotland, in behalf of the exiles, was of more weight than all these, and attended with more success. Throgmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried on at the English court, in order to undermine the power and credit of that minister. He espoused, for this reason, the cause of the Scottish Queen, towards whose

[a] Melv. 125.

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title and pretensions the other was known to bear little favour; and ventured, in the present critical juncture, to write a letter to Mary, containing the most salutary advices with regard to her conduct. He recommended the pardoning of the Earl of Murray and his associates, as a measure no less prudent than popular. "An action of this nature," says he, "the pure effect of Your Majesty's generosity, will spread the fame of your lenity and moderation, and engage the English to look towards your accession to the throne, not only without prejudice, but with desire. By the same means, a perfect harmony will be restored among your own subjects, who, if any rupture should happen with England, will serve you with that grateful zeal which your clemency cannot fail of inspiring[b]."

She resolves to treat them with clemency.

These prudent remonstrances of Throgmorton, to which his reputation for wisdom, and known attachment to the Queen, added great authority, made a deep impression on her spirit. Her courtiers cultivated this happy disposition, and prevailed on her, notwithstanding the King's inflexible temper, to sacrifice her own private resentment to the intercession of her subjects and the wishes of her friends[c]. With this view, the parliament, which had been called to meet on the fourth of February, was prorogued to the seventh of April[d]; and in the mean time she was busy in considering the manner and form in which she should extend her favour to the lords who were under disgrace.

Though Mary discovered on this occasion a mind

[b] Melv. 119. [c] Ibid. 125. [d] Good. vol. i. 224.

naturally prone to humanity and capable of forgiving, she wanted firmness, however, to resist the influence which was fatally employed to disappoint the effects of this amiable disposition. About this time, and at no great distance from each other, two envoys arrived from the French King. The former was intrusted with matters of mere ceremony alone; he congratulated the Queen on her marriage, and invested the King with the ensigns of the order of St. Michael. The instructions of the latter related to matters of more importance, and produced greater effects[e].

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Is diverted from this resolution by the solicitation of France, and her zeal for Popery. Feb. 3.

An interview between Charles IX. and his sister the Queen of Spain had been often proposed; and after many obstacles arising from the opposition of political interest, was at last appointed at Bayonne. Catherine of Medicis accompanied her son; the Duke of Alva attended his mistress. Amidst the scenes of public pomp and pleasure, which seemed to be the sole occupation of both courts, a scheme was formed, and measures concerted, for exterminating the Hugonots in France, the Protestants in the Low Countries, and for suppressing the Reformation throughout all Europe[f]. The active policy of Pope Pius IV. and the zeal of the Cardinal of Lorrain, confirmed and encouraged dispositions so suitable to the genius of the Romish religion, and so beneficial to their own order.

It was an account of this holy league which the second French envoy brought to Mary, conjuring her at the same time, in the name of the King of

[e] Keith, 325. Append. 167.

[f] Thuan. lib. 37.

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France and the Cardinal of Lorrain, not to restore the leaders of the Protestants in her kingdom to power and favour, at the very time when the Catholic Princes were combined to destroy that sect in all the countries of Europe[s].

Popery is a species of false religion, remarkable for the strong possession it takes of the heart. Contrived by men of deep insight in the human character, and improved by the experience and observation of many successive ages, it arrived at last to a degree of perfection which no former system of superstition had ever attained. There is no power in the understanding, and no passion in the heart, to which it does not present objects adapted to rouse and to interest them. Neither the love of pleasure which at that time prevailed in the court of France, nor the pursuits of ambition which occupied the court of Spain, had secured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly considered as peculiar to ecclesiastics; and Kings and ministers thought themselves bound in conscience to extirpate the Protestant doctrine. Mary herself was deeply tinctured with all the prejudices of popery; a passionate attachment to that superstition is visible in every part of her character, and runs through all the scenes of her life: she was devoted too with the utmost submission to the Princes of Lorrain, her uncles; and had been accustomed from her infancy to listen to all their advices with a filial respect. The prospect of restoring

[s] Melv. 126.

the public exercise of her own religion, the pleasure of complying with her uncles, and the hopes of gratifying the French monarch, whom the present situation of her affairs in England made it necessary to court, counterbalanced all the prudent considerations which had formerly weighed with her. She instantly joined the confederacy, which had been formed for the destruction of the Protestants, and altered the whole plan of her conduct with regard to Murray and his adherents[h]. BOOK IV. 1566.

To this fatal resolution may be imputed all the subsequent calamities of Mary's life. Ever since her return into Scotland, fortune may be said to have been propitious to her rather than adverse; and if her prosperity did not rise to any great height, it had, however, suffered no considerable interruption. A thick and settled cloud of adversity, with few gleams of hope, and none of real enjoyment, covers the remainder of her days.

A parliament called to attaint the exiled nobles;

The effects of the new system which Mary had adopted were soon visible. The time of the prorogation of parliament was shortened; and by a new proclamation the 12th of March was fixed for its meeting[i]. Mary resolved, without any further delay, to proceed to the attainder of the rebel lords, and at the same time determined to take some steps towards the re-establishment of the Romish religion in Scotland[k]. The lords of the Articles were

[h] See Append. No. XIV.

[i] Keith, 326.

[k] It is not on the authority of Knox alone, that we charge the Queen with the design of re-establishing the Roman Catholic religion, or at least of exempting the professors of it from the rigour of those penal laws to which they were subjected. He

BOOK IV. 1566. chosen, as usual, to prepare the business which was to come before the parliament. They were all persons in whom the Queen could confide, and bent to promote her designs. The ruin of Murray and his party seemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which saved both. If we regard either the barbarity of that age, when such acts of violence were common, or the mean condition of the unhappy person who suffered, the event is little remarkable: but if we reflect upon the circumstances with which it was attended, or upon the consequences which followed it, it appears extremely memorable; and the rise and progress of it deserve to be traced with great care.

and prevented by the conspiracy against Rizio.

Darnly loses the Queen's affection.

Darnly's external accomplishments had excited that sudden and violent passion which raised him to the throne. But the qualities of his mind cor-

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indeed asserts that the altars, which would have been erected in the church of St. Giles, were already provided, 394. 1. Mary herself, in a letter to the Archbishop of Glasgow, her ambassador in France, aknowledges, "that in that Parliament she intended to have done some good, with respect to restoring the old religion." Keith, 331. 2. The Spiritual Lords, i. e. the Popish Ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good. vol. i. 274. 5. Blackwood, who was furnished by the Archbishop of Glasgow with materials for writing his *Martyre de Marie*, affirms, that the Queen intended to have procured, in this Parliament, if not the re-establishment of the Catholic religion, at least something for the ease of Catholics. Jebb, vol. ii. 204.

responded ill with the beauty of his person. Of a weak understanding, and without experience, conceited, at the same time, of his own abilities, and ascribing his extraordinary success entirely to his distinguished merit; all the Queen's favour made no impression on such a temper. All her gentleness could not bridle his imperious and ungovernable spirit. All her attention to place about him persons capable of directing his conduct, could not preserve him from rash and imprudent actions[l]. Fond of all the amusements, and even prone to all the vices of youth, he became by degrees careless of her person, and a stranger to her company. To a woman, and a Queen, such behaviour was intolerable. The lower she had stooped in order to raise him, his behaviour appeared the more ungenerous and criminal: and in proportion to the strength of her first affection, was the violence with which her disappointed passion now operated. A few months after the marriage their domestic quarrels began to be observed. The extravagance of Darnly's ambition gave rise to these. Instead of being satisfied with a share in the administration of government, or with the title of King, which Mary, by an unprecedented stretch of power, had conferred on him, he demanded the Crown Matrimonial with most insolent importunity[m]. Though Mary alleged that

[l] Good. vol. i. 222.

[m] Keith, 329. Id. Ap. 165, 166. Knox, 404. The eagerness of the King to obtain the *Crown Matrimonial* is not surprising, when the extent of the powers which that title conveyed, as explained in the text and note, vol. i. p. 358, is taken into consideration.

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this gift was beyond her power, and that the authority of Parliament must be interposed to bestow it, he wanted either understanding to comprehend, or temper to admit, so just a defence; and often renewed and urged his request.

Suspects Rizio to be the cause of it.

Rizio, whom the King had at first taken into great confidence, did not humour him in these follies. By this he incurred Henry's displeasure; and as it was impossible for Mary to behave towards her husband with the same affection which distinguished the first and happy days of their union, he imputed this coldness, not to his own behaviour, which had so well merited it, but to the insinuations of Rizio. Mary's own conduct confirmed and strengthened these suspicions. She treated this stranger with a familiarity, and admitted him to a share in her confidence, to which neither his first condition, nor the office she had lately bestowed on him, gave him any title. He was perpetually in her presence, intermeddled in every business, and, together with a few favourites, was the companion of all her private amusements. The haughty spirit of Darnly could not bear the intrusion of such an upstart; and, impatient of any delay, and unrestrained by any scruple, he instantly resolved to get rid of him by violence.

Rizio hated by the friends of the exiled nobles.

At the same time another design, which took its rise from very different motives, was carrying on against the life of Rizio. Morton, Ruthven, Lindsay, and Maitland, were the contrivers of it. In all former commotions they had been strictly united with Murray, though in the late insurrection they had deserted him for various reasons. Morton was nearly

allied to the family of Angus; and, during the minority of the present Earl, acted as chief of the name of Douglas. Ruthven was married to the King's aunt. Lindsay's wife was of the same blood. All these had warmly concurred with the Queen in promoting a marriage which did so much honour to the house of Douglas, and naturally expected that, under a King of their own blood, the chief management of affairs would be committed to them. Maitland, with his usual sagacity, foresaw that Murray's opposition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himself necessary and of importance. They were all equally disappointed in their expectations. The King's headstrong temper rendered him incapable of advice. The Queen could not help distrusting men who had been so long and so intimately connected with Murray, and gave herself up entirely to such counsellors as complied with all her inclinations. The return of that nobleman and his followers was therefore the only event which could restore Morton, Maitland, and their associates, to their former ascendant over the Queen's councils. For this reason, nothing could be more mortifying to them, than the resolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his interest, was now the most active instrument in promoting the measures which were concerted for the ruin of that nobleman. This officious zeal completed the disgust which they had conceived against him, and inspired them with thoughts of

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vengeance, in no wise suitable to justice, to humanity, or to their own dignity.

They combine in order to murder him.

While they were ruminating upon their scheme, the King communicated his resolution to be avenged of Rizio to Lord Ruthven, and implored his assistance, and that of his friends, towards the execution of this design. Nothing could be more acceptable to them than this overture. They saw at once all the advantages they would reap by the concurrence of such an associate. Their own private revenge upon Rizio would pass, they hoped, for an act of obedience to the King; and they did not despair of obtaining the restoration of their banished friends, and security for the Protestant religion, as the price of their compliance with his will.

But as Henry was no less fickle than rash, they hesitated for some time, and determined to advance no further, without taking every possible precaution for their own safety. They did not, in the mean time, suffer the King's resentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of insinuation and address, took the young Prince under his management. He wrought upon his ruling passion, ambition to obtain the Matrimonial Crown. He represented Rizio's credit with the Queen to be the chief and only obstacle to his success in that demand. This minion alone, he said, possessed her confidence; and out of complaisance to him, her subjects, her nobility, and even her husband, were excluded from any participation of her secret councils. Under the appearance of a confidence merely political, he insinuated, and the King perhaps believed, that a familiarity of

a quite different and very criminal nature might be concealed[n]. Such various and complicated passions raged in the King's bosom with the utmost fury. He became more impatient than ever of any delay, and even threatened to strike the intended blow with his own hand. At last, preliminaries were settled on both sides, and articles for their mutual security agreed upon. The King engaged to prevent the

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[n] Of all our historians, Buchanan alone avowedly accuses Mary of a criminal love for Rizio, 340. 344. Knox slightly insinuates that such a suspicion was entertained, 391. Melvil, in a conversation with the Queen, intimates that he was afraid her familiarity with Rizio might be liable to misconstruction, 110. The King himself seems, both by Melvil's account, and by his expostulation with the Queen, which Ruthven mentions, to have given credit to these suspicions. Melv. 127. Keith, Append. 123, 124. That the King's suspicions were strong, is likewise evident from the paper published, Append. No. XV. But in opposition to these suspicions, and they are nothing more, we may observe that Raulet, the Queen's French secretary, was dismissed from her service, and Rizio advanced to that office, in December, 1564. Keith, 268. It was in consequence of this preferment, that he acquired his great credit with the Queen. Melv. 107. Darnly arrived in Scotland about two months after. Keith, 269. The Queen immediately conceived for him a passion, which had all the symptoms of genuine and violent love. Rizio aided this passion, and promoted the marriage with all his interest. Melv. 111. During some months after the marriage, the Queen's fondness for Darnly continued. She soon proved with child. From this enumeration of circumstances, it appears almost impossible that the Queen, unless we suppose her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the silence of Randolph, the English resident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once insinuate that her confidence in Rizio concealed any thing criminal, is in itself a sufficient vindication of her innocence.

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attainder of the banished Lords, to consent to their return into Scotland, to obtain for them an ample remission of all their crimes, and to support, to the utmost of his power, the religion which was now established in the kingdom. On their parts, they undertook to procure the Crown Matrimonial for Henry, to secure his right of succession, if the Queen should die before him without issue, and to defend that right to the uttermost, against whatever person should presume to dispute it; and if either Rizio or any other person should happen to be killed in prosecuting the design, the King promised to acknowledge himself to be the author of the enterprise, and to protect those who were embarked in it[o].

Perpetrate that crime in the Queen's palace.

Nothing now remained but to concert the plan of operation, to choose the actors, and to assign them their parts in perpetrating this detestable crime. Every circumstance here paints and characterizes the manners and men of that age, and fills us with horror at both. The place chosen for committing such a deed was the Queen's bed-chamber. Though Mary was now in the sixth month of her pregnancy, and though Rizio might have been seized elsewhere without any difficulty, the King pitched upon this place, that he might enjoy the malicious pleasure of reproaching Rizio with his crimes before the Queen's face. The Earl of Morton, the Lord High Chancellor of the kingdom, undertook to direct an enterprise, carried on in defiance of all the laws of which he was bound to be the guardian. The Lord

[o] Good. vol. i. 266.

Ruthven, who had been confined to his bed for three months by a very dangerous distemper, and who was still so feeble that he could hardly walk, or bear the weight of his own armour, was intrusted with the executive part; and while he himself needed to be supported by two men, he came abroad to commit a murder in the presence of his sovereign. BOOK IV. 1566.

On the ninth of March, Morton entered the court of the palace with an hundred and sixty men; and without noise, or meeting with any resistance, seized all the gates. While the Queen was at supper with the Countess of Argyll, Rizio, and a few other persons, the King suddenly entered the apartment by a private passage. At his back was Ruthven, clad in complete armour, and with that ghastly and horrid look which long sickness had given him. Three or four of his most trusty accomplices followed him. Such an unusual appearance alarmed those who were present. Rizio instantly apprehended that he was the victim at whom the blow was aimed; and in the utmost consternation retired behind the Queen, of whom he laid hold, hoping that the reverence due to her person might prove some protection to him. The conspirators had proceeded too far to be restrained by any consideration of that kind. Numbers of armed men rushed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears, and entreaties, and threatenings, to save her favourite. But, notwithstanding all these, he was torn from her by violence, and before he could be dragged

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through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-six wounds[p].

Athol, Huntly, Bothwell, and other confidents of the Queen, who had apartments in the palace, were alarmed at the uproar, and filled with the utmost terror on their own account; but either no violence was intended against them, or the conspirators durst not shed the noblest blood in the kingdom in the same illegal manner with which they had ventured to take the life of a stranger. Some of them were dismissed, and others made their escape.

They confine the Queen herself;

The conspirators, in the mean time, kept possession of the palace, and guarded the Queen with the utmost care. A proclamation was published by the King, prohibiting the Parliament to meet on the day appointed; and measures were taken by him for preventing any tumult in the city[q]. Murray, Rothes, and their followers, being informed of every step taken against Rizio, arrived at Edinburgh next evening. Murray was graciously received both by the King and Queen: by the former, on account of the articles which had been agreed upon between them; by the latter, because she hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizio. Their power she still felt and dreaded; and the insult which they had offered to her authority, and even to her person, so far exceeded any crime she could impute to Murray, that, in hopes of wreaking her vengeance on them, she

[p] See Appendix, No. XV.

[q] Keith, Appendix, 126.

became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their safety. The Queen, who scarce had the liberty of choice left, was persuaded to admit Morton and Ruthven into her presence, and to grant them the promise of pardon in whatever terms they should deem necessary for their own security.

but she gains the King, and makes her escape.

The King, meanwhile, stood astonished at the boldness and success of his own enterprise, and uncertain what course to hold. The Queen observed his irresolution, and availed herself of it. She employed all her art to disengage him from his new associates. His consciousness of the insult which he had offered to so illustrious a benefactress, inspired him with uncommon facility and complaisance. In spite of all the warnings he received to distrust the Queen's artifices, she prevailed on him March 11. to dismiss the guards which the conspirators had placed on her person; and that same night he made his escape along with her, attended by three persons only, and retired to Dunbar. The scheme of their flight had been communicated to Huntly and Bothwell, and they were quickly joined by them and several other of the nobles. Bothwell's estate lay in that corner of the kingdom, and his followers crowded to their chief in such numbers, as soon enabled the Queen to set the power of the conspirators at defiance.

Is reconciled to the exiled nobles.

This sudden flight filled them with inexpressible consternation. They had obtained a promise of pardon; and it now appeared from the Queen's

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conduct, that nothing more was intended by this promise than to amuse them, and to gain time. They ventured, however, to demand the accomplishment of it; but their messenger was detained a prisoner, and the Queen, advancing towards Edinburgh at the head of eight thousand men, talked in the highest strain of resentment and revenge. She had the address, at the same time, to separate Murray and his associates from the conspirators against Rizio. Sensible that the union of these parties would form a confederacy which might prove formidable to the crown, she expressed great willingness to receive the former into favour; towards the latter she declared herself inexorable. Murray and his followers were no less willing to accept a pardon on her terms. The conspirators against Rizio, deprived of every resource, and incapable of resistance, fled precipitately to Newcastle, having thus changed situations with Murray and his party, who left that place a few days before.

March 10. The conspirators against Rizio fly into England.

No man so remarkable for wisdom, and even for cunning, as the Earl of Morton, ever engaged in a more unfortunate enterprise. Deserted basely by the King, who now denied his knowledge of the conspiracy by public proclamations, and abandoned ungenerously by Murray and his party[r], he was obliged to fly from his native country, to resign the highest office, and to part with one of the most opulent fortunes in the kingdom.

On her return to Edinburgh, Mary began to proceed against those concerned in the murder of Rizio

[r] Melv. 130.

with the utmost rigour of law. But, in praise of her clemency, it must be observed, that only two persons, and these of no considerable rank, suffered for this crime[s]. BOOK IV. 1566.

In this conspiracy there is one circumstance which, though somewhat detached, deserves not to be forgotten. In the confederacy between the King and the conspirators, the real intention of which was assassination, the preserving of the reformed church is, nevertheless, one of the most considerable articles; and the same men, who were preparing to violate one of the first duties of morality, affected the highest regard for religion. History relates these extravagances of the human mind, without pretending to justify, or even to account for them; and, regulating her own opinions by the eternal and immutable laws of justice and of virtue, points out such inconsistencies, as features of the age which she describes, and records them for the instruction of ages to come.

An account of the frequency of assassinations in that age.

As this is the second instance of deliberate assassination which has occurred, and as we shall hereafter meet with many other instances of the same crime, the causes which gave rise to a practice so shocking to humanity deserve our particular attention. Resentment is, for obvious and wise reasons, one of the strongest passions in the human mind. The natural demand of this passion is, that the person who feels the injury should himself inflict the vengeance due on that account. The permitting this, however, would have been destructive to soci-

[s] Keith, Appendix, 130. 334.

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ety; and punishment would have known no bounds, either in severity or in duration. For this reason, in the very infancy of the social state, the sword was taken out of private hands, and committed to the magistrate. But at first, while laws aimed at restraining, they really strengthened the principle of revenge. The earliest and most simple punishment for crimes was retaliation; the offender forfeited limb for limb, and life for life. The payment of a compensation to the person injured, succeeded to the rigour of the former institution. In both these, the gratification of private revenge was the object of law; and he who suffered the wrong was the only person who had a right to pursue, to exact, or to remit the punishment. While laws allowed such full scope to the revenge of one party, the interests of the other were not neglected. If the evidence of his guilt did not amount to a full proof, or if he reckoned himself to be unjustly accused, the person to whom a crime was imputed had a right to challenge his adversary to single combat, and, on obtaining the victory, vindicated his own honour. In almost every considerable cause, whether civil or criminal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Justice had seldom occasion to use her balance; the sword alone decided every contest. The passion of revenge was nourished by all these means, and grew, by daily indulgence, to be incredibly strong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other causes, contracted an amazing ferocity of temper and of manners. This ferocity,

however, made it necessary to discourage the trial by combat; to abolish the payment of compensations in criminal cases; and to think of some milder method of terminating disputes concerning civil rights. The punishments for crimes became more severe, and the regulations concerning property more fixed; but the Princes, whose province it was to inflict the one, and to enforce the other, possessed little power. Great offenders despised their authority; smaller ones sheltered themselves under the jurisdiction of those from whose protection they expected impunity. The administration of justice was extremely feeble and dilatory. An attempt to punish the crimes of a chieftain, or even of his vassals, often excited rebellions and civil wars. To nobles haughty and independent, among whom the causes of discord were many and unavoidable, who were quick in discerning an injury, and impatient to revenge it; who deemed it infamous to submit to an enemy, and cowardly to forgive him; who considered the right of punishing those who had injured them, as a privilege of their order and a mark of independence; such slow proceedings were extremely unsatisfactory. The blood of their adversary was, in their opinion, the only thing which could wash away an affront: where that was not shed, their revenge was disappointed, their courage became suspected, and a stain was left on their honour. That vengeance, which the impotent hand of the magistrate could not inflict, their own could easily execute. Under governments so feeble, men assumed, as in a state of nature, the right of judging, and redressing their own wrongs; and thus as-

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sassination, a crime of all others the most destructive to society, came not only to be allowed, but to be reckoned honourable.

The history of Europe, during the fourteenth and fifteenth centuries, abounds with detestable instances of this crime. It prevailed chiefly among the French and Scots, between whom there was a close intercourse at that time, and a surprising resemblance in their national characters. In one thousand four hundred and seven, the only brother of the King of France was murdered publicly in the streets of Paris; and so far was this horrible action from meeting with proper punishment, that an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulness of assassination. In one thousand four hundred and seventeen, it required all the eloquence and authority of the famous Gerson, to prevail on the council of Constance to condemn this proposition, "That there are some cases in which assassination is a virtue more meritorious in a knight than in a squire, and more meritorious in a king than in a knight[f]." The number of eminent persons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and sixteenth centuries, is almost incredible. Even after those causes, which first gave rise to this barbarous practice, were removed; after the jurisdiction of magistrates, and the authority of laws, were better established, and become more universal; after the

[f] L'Enfant, Hist. Conc. de Const.

progress of learning and philosophy had polished the manners and humanized the minds of men, this crime continued in some degree. It was towards the close of the seventeenth century before it disappeared in France. The additional vigour, which the Royal authority acquired by the accession of James VI. to the throne of England, seems to have put a stop to it in Scotland. BOOK IV. 1566.

The influence, however, of any national custom, both on the understanding and on the heart, and how far it may go towards perverting or extinguishing moral principles of the greatest importance, is remarkable. The authors of those ages have perfectly imbibed the sentiments of their cotemporaries with regard to assassination; and they who had leisure to reflect and to judge, appear to be no more shocked at this crime, than the persons who committed it during the heat and impetuosity of passion. Buchanan describes the murder of Cardinal Beatoun and of Rizio, without expressing those feelings which are natural to a man, or that indignation which became an historian[u]. Knox, whose mind was fiercer and more unpolished, relates the death of Beatoun and of the Duke of Guise, not only without censure, but with the utmost exultation[x]. On the other hand, the Bishop of Ross mentions the assassination of the Earl of Murray with some degree of applause[y]. Blackwood dwells upon it with the most indecent triumph, and ascribes it directly to the hand of God[z]. Lord

[u] Buchan. 295. 345.
[x] Knox, 334.
[y] Anders. 3. 84.
[z] Jebb, ii. 263.

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Ruthven, the principal actor in the conspiracy against Rizio, wrote an account of it some short time before his own death, and in all his long narrative there is not one expression of regret, or one symptom of compunction, for a crime no less dishonourable than barbarous[a]. Morton, equally guilty of the same crime, entertained the same sentiments concerning it; and in his last moments, neither he himself, nor the ministers who attended him, seem to have considered it as an action which called for repentance; even then he talks of *David's slaughter* as coolly as if it had been an innocent or commendable deed[b]. The vices of another age astonish and shock us; the vices of our own become familiar, and excite little horror[c]. I return from this digression to the course of the history.

The Queen's hatred to Darnly increases.

The charm which had at first attached the Queen to Darnly, and held them for some time in an happy union, was now entirely dissolved; and love no longer covering his follies and vices with its friendly

[a] Keith, Append. 119. [b] Crawf. Mem. Append.

[c] In the first accounts of Rizio's murder sent to England, there seem to have been mingled (as is usual in relating extraordinary events) some circumstances, which afterwards appeared to be false: among others, that a friar named *Black* had been slain at the same time with Rizio. Packhurst Bishop of Norwich, in communicating this intelligence to his correspondent Bullinger, an eminent reformed divine of Zurich, expresses no condemnation of the murder of Rizio, and exults over the supposed death of the friar in terms which, in our times, will appear as shocking as they are puerile: "Fraterculus quidam, nomine *Black*, papistarum antesignanus, eodem tempore in aula occiditur: Sic niger hic nebulo, nigra quoque morte peremptus, invitus nigrum subito descendit in Orcum." Burn. Hist. of Reform. iii. App. 360.

veil, they appeared to Mary in their full dimension and deformity[d]. Though Henry published a proclamation disclaiming any knowledge of the conspiracy against Rizio, the Queen was fully convinced that he was not only accessary to the contrivance, but to the commission of that odious crime[e]. That very power which, with liberal and unsuspicious fondness, she had conferred upon him, he had employed to insult her authority, to limit her prerogative, and to endanger her person. Such an outrage it was impossible any woman could bear or forgive. Cold civilities, secret distrust, frequent quarrels, succeeded to their former transports of affection and confidence. The Queen's favours were no longer conveyed through his hands. The crowd of expectants ceased to court his patronage, which they found to avail so little. Among the nobles, some dreaded his furious temper, others complained of his perfidiousness; and all of them despised the weakness of his understanding and the inconstancy of his heart. The people themselves observed some parts of his conduct which little suited the dignity of a King. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the Queen to the utmost; and the passions which it occasioned often forced tears from her eyes, both in public and private[f]. Her aversion for him increased every day, and could be

[d] See Appendix, No. XVI.

[e] Keith, 350.

[f] Keith, 329.

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no longer concealed. He was often absent from court, appeared there with little splendour, and was trusted with no power. Avoided equally by those who endeavoured to please the Queen, who favoured Morton and his associates, or who adhered to the house of Hamilton, he was left almost alone in a neglected and unpitied solitude[g].

The rise of Bothwell's favour.

About this time a new favourite grew into great credit with the Queen, and soon gained an ascendant over her heart, which encouraged his enterprising genius to form designs that proved fatal to himself, and the occasion of all Mary's subsequent misfortunes. This was James Hepburn, Earl of Bothwell, the head of an ancient family, and, by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age, when so many vast projects were laid open to an aspiring mind, and invited it to action, no man's ambition was more daring than Bothwell's, or had recourse to bolder or more singular expedients for obtaining power[h]. When almost every person of distinction in the kingdom,

[g] Melv. 131, &c.

[h] The enterprising spirit of Bothwell was so conspicuous as to procure him several marks of distinction during his residence in France. Hardwick's State Papers, i. 143. Throgmorton, the English ambassador at Paris, and one of the most sagacious ministers employed by Elizabeth, points him out as a person who was to be dreaded and observed. "The Earl of Bothwell," says he in a letter, Nov. 28. 1560, "is departed to return into Scotland, and hath made boast that he will do great things, and live in Scotland in despite of all men. He is a glorious, rash, and hazardous *young* man; and therefore it were meet that his adversaries should both have an eye to him, and also keep him short." Ibid. p. 149.

whether Papist or Protestant, had joined the Congregation in opposing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed Protestant, adhered to the Queen Regent, and acted with vigour on her side. The success which attended the arms of the Congregation having obliged him to retire into France, he was taken into the Queen's service, and continued with her till the time of her return into Scotland[i]. From that period, every step of his conduct towards Mary was remarkably dutiful; and, amidst all the shiftings of faction, we scarcely ever find him holding any course which could be offensive to her. When Murray's proceedings with regard to her marriage gave umbrage to the Queen, she recalled Bothwell from that banishment into which she had been obliged with reluctance to drive him, and considered his zeal and abilities as the most powerful supports of her authority. When the conspirators against Rizio seized her person, he became the chief instrument of recovering her liberty, and served her, on that occasion, with so much fidelity and success, as made the deepest impression on her mind, and greatly increased the confidence which she had hitherto placed in him[k]. Her gratitude loaded him with marks of her bounty; she raised him to offices of profit and trust, and transacted no matter of importance without his advice[l]. By complaisance and assiduity he confirmed and fortified these dispositions of the Queen in his favour, and insensibly

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[i] Anders. i. 90.
[k] Ibid. 92, 93.
[l] Melv. 133. Knox, 396.

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paved the way towards that vast project which his immoderate ambition had perhaps already conceived, and which, in spite of many difficulties, and at the expense of many crimes, he at last accomplished.

The hour of the Queen's delivery now approached. As her palace was defended only by a slender guard, it seemed imprudent to expose her person, at this time, to the insults she might suffer in a kingdom torn by factions and prone to mutiny. For this reason the privy council advised the Queen to fix her residence in the castle of Edinburgh, the strongest fortress in the kingdom, and the most proper place for the security of her person[m]. In order to render this security more perfect, Mary laboured to extinguish the domestic feuds which divided some of the principal nobles. Murray and Argyll were exasperated against Huntly and Bothwell by reciprocal and repeated injuries. The Queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promise to bury their discords in everlasting oblivion. This reconcilement Mary had so much at heart, that she made it the condition on which she again received Murray into favour[n].

Birth of James VI.

On the nineteenth of June, Mary was delivered of her only son James, a Prince whose birth was happy for the whole island, and unfortunate to her alone. His accession to the throne of England united the two divided kingdoms in one mighty monarchy, and established the power of Great Britain on a firm foundation; while she, torn early from her

[m] Keith, 335. [n] Ibid. 336. Append. 139.

son by the cruelty of her fate, was never allowed to indulge those tender passions, nor to taste those joys which fill the heart of a mother. BOOK IV. 1566.

Melvil was instantly dispatched to London with an account of this event. It struck Elizabeth, at first, in a sensible manner; and the advantage and superiority which her rival had acquired by the birth of a son, forced tears from her eyes. But before Melvil was admitted to an audience, she had so far recovered the command of herself, as to receive him not only with decency but with excessive cheerfulness; and willingly accepted the invitation which Mary gave her, to stand godmother to her son[o].

As Mary loved splendour and magnificence, she resolved to celebrate the baptism of the young Prince with great pomp; and for that purpose sent invitations of the same kind to the French King, and to the Duke of Savoy, the uncle of her former husband.

The Queen, on her recovery, discovered no change in her sentiments with respect to the King[p]. The death of Rizio, and the countenance he had given to an action so insolent and unjustifiable, were still fresh in her memory. She was frequently pensive and dejected[q]. Though Henry sometimes attended at court, and accompanied her in her progresses through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greatest reserve, and did not suffer him to possess any authority[r]. The breach between them became every day more apparent[s]. Attempts were

The Queen continues to treat Darnly with indifference and neglect.

[o] Melv. 138.
[p] See Append. No. XVII.
[q] Melv. 148.
[r] Keith, 350. Melv. 132.
[s] Keith, Append. 169.

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made towards a reconcilement, particularly by Castelnau, the French ambassador; but, after such a violent rupture, it was found no easy matter to bind the nuptial knot a-new; and, though he prevailed on the King and Queen to pass two nights together[t], we may, with great probability, pronounce this appearance of union, to which Castelnau trusted, not to have been sincere; we know with certainty that it was not lasting.

Her attachment to Bothwell increases.

Bothwell, all this while, was the Queen's prime confident. Without his participation no business was concluded, and no favour bestowed. Together with this ascendant over her councils, Bothwell, if we may believe the contemporary historians, acquired no less sway over her heart. But at what precise time this ambitious Lord first allowed the sentiments of a lover to occupy the place of that duty and respect which a subject owes his sovereign; or when Mary, instead of gratitude for his faithful services, felt a passion of another nature rising in her bosom, it is no easy matter to determine. Such delicate transitions of passion can be discerned only by those who are admitted near the persons of the parties, and who can view the secret workings of the heart with calm and acute observation. Neither Knox nor Buchanan enjoyed these advantages. Their humble station allowed them only a distant access to the Queen and her favourite. And the ardour of their zeal, as well as the violence of their prejudices, rendered their opinions rash, precipitate, and inaccurate. It is by the effects of this reciprocal passion,

[t] Keith, 169.

rather than by their accounts of it, that subsequent historians can judge of its reality.

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Adventurous as Bothwell's project to gain the Queen may appear, it was formed and carried on under very favourable circumstances. Mary was young, gay, and affable. She possessed great sensibility of temper, and was capable of the utmost tenderness of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with insolence, and with brutality. All these she felt and resented. In this situation, the attention and complaisance of a man who had vindicated her authority and protected her person, who entered into all her views, who soothed all her passions, who watched and improved every opportunity of insinuating his design and recommending his passion[u], could hardly fail of making an impression on a heart of such a frame as Mary's.

The King resolves to leave Scotland.

The haughty spirit of Darnly, nursed up in flattery, and accustomed to command, could not bear the contempt under which he had now fallen, and the state of insignificance to which he saw himself reduced. But, in a country where he was universally hated or despised, he could never hope to form a party, which would second any attempt he might make to recover power. He addressed himself, therefore, to the Pope, and to the Kings of France and Spain, with many professions of his own zeal for the Catholic religion, and with bitter complaints against the Queen, for neglecting to promote that

[u] Anders. i. 93, 94.

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interest[x]: and, soon after, he took a resolution, equally wild and desperate, of embarking on board a ship which he provided, and of flying into foreign parts. It is almost impossible to form any satisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himself to the Catholic Princes on the continent by his zeal for religion, and that they would employ their interest towards reinstating him in the possession of that power which he had lost. Perhaps he expected nothing more than the comfort of hiding the disgrace under which he was now fallen, among strangers, who had never been witnesses of his former prosperity.

His capricious behaviour.

He communicated the design to the French ambassador, Le Croc, and to his father the Earl of Lennox. They both endeavoured to dissuade him from it, but without success. Lennox, who seems, as well as his son, to have lost the Queen's confidence, and who, about this time, was seldom at court, instantly communicated the matter to her by a letter. Henry, who had refused to accompany the Queen from Stirling to Edinburgh, was likewise absent from court. He arrived there, however, on the same day she received the account of his intended flight. But he was more than usually wayward and peevish; and, scrupling to enter the palace unless certain Lords who attended the Queen were dismissed, Mary was obliged to meet him without the gates. At last he suffered her to con-

[x] Knox, 399.

duct him into her own apartment. She endeavoured to draw from him the reasons of the strange resolution which he had taken, and to divert him from it. In spite, however, of all her arguments and entreaties, he remained silent and inflexible. Next day the privy council, by her direction, expostulated with him on the same head. He persisted, notwithstanding, in his sullenness and obstinacy; and neither deigned to explain the motives of his conduct, nor signified any intention of altering it. As he left the apartment, he turned towards the Queen, and told her that she should not see his face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his disgust. She herself, he said, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, so that he appeared in every place without the dignity and splendour of a King.

Mary endeavours to prevent his intended flight.

Nothing could be more mortifying to Mary, than this intended flight of the King's, which would have spread the infamy of their domestic quarrel all over Europe. Compassion for a monarch who would then appear to be forced into exile by her neglect and ill usage, might have disposed mankind to entertain sentiments concerning the causes of their discord, little to her advantage. In order, therefore, to prepossess the minds of her allies, and to screen her reputation from any censure with which Darnly might endeavour to load it, the privy council transmitted a narrative of this whole transaction both to the King and to the Queen-mother of

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France. It was drawn with great art, and sets Mary's conduct in the most favourable point of view[y].

About this time the licence of the borderers called for redress; and Mary resolving to hold a court of justice at Jedburgh, the inhabitants of several adjacent counties were summoned to attend their Sovereign in arms, according to custom[z]. Bothwell was at that time lieutenant or warden of all the marches, an office among the most important in the kingdom; and, though usually divided into three distinct governments, bestowed by the Queen's favour upon him alone. In order to display his own valour and activity in the discharge of this trust, he attempted to seize a gang of banditti, who, lurking among the marshes of Liddesdale, infested
Oct. 16. the rest of the country. But while he was laying hold upon one of those desperadoes, he was wounded by him in several places, so that his followers were obliged to carry him to Hermitage castle. Mary instantly flew thither with an impatience which has been considered as marking the anxiety of a lover, but little suited the dignity of a Queen[a]. Finding

[y] Keith, 345. 347. [z] Ibid. 353. Good. vol. i. 302.

[a] The distance between Jedburgh and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell seems to have been wounded in a scuffle, occasioned by the despair of a single man, rather than any open insurrection of the borderers. It does not appear that the Queen was attended by any considerable train. Had any military operation been necessary, as is supposed, Good. vol. i. 304, it would have been extremely improper to risque the Queen's person in an expedition against thieves. As soon as the Queen found Bothwell to be in no danger, she in-

that Bothwell was threatened with no dangerous symptom, she returned the same day to Jedburgh. The fatigue of such a journey, added to the anguish of mind she had suffered on Bothwell's account, threw her next morning into a violent fever[b]. Her life was despaired of; but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the Queen's illness, the King, who resided at Stirling, never came near Jedburgh[c]; and when he afterwards thought fit to make his appearance there, he met with such a cold reception as did not encourage him to make any long stay[d]. Mary soon recovered strength enough to return along the eastern borders to Dunbar. 1566. Nov. 5.

While she resided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, and even proclamations to the contrary, not only allowed, but encouraged, Morton and his associates to remain in England[e]. Mary, on the other hand, offered her protection to several English fugitives. Each Queen watched the motions of the other with a jealous attention, and secretly countenanced the practices which were carrying on to disturb the administration of her rival.

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stantly returned; and after this we hear no more of the insurrection, nor have we any proof that the rioters took refuge in England. As there is no further evidence with respect to the motives of this extraordinary journey, the reader must judge what degree of credit is due to Knox and Buchanan, who ascribe it to the Queen's love of Bothwell.

[b] Keith, 351, 352.
[c] Ibid. Append. 133.
[d] Knox, 400.
[e] Cald. vol. ii. p. 15.

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For this purpose Mary's ambassador, Robert Melvil, and her other emissaries, were extremely active and successful. We may ascribe, in a good degree, to their intrigues, that spirit which appeared in the parliament of England, and which raised a storm that threatened Elizabeth's domestic tranquillity, more than any other event of her reign, and required all her art and dexterity to allay it.

The English parliament favours Mary's pretensions to the succession.

Elizabeth had now reigned eight years without discovering the least intention to marry. A violent distemper, with which she had lately been seized, having endangered her life, and alarmed the nation with the prospect of all those calamities which are occasioned by a disputed and dubious succession, a motion was made, and eagerly listened to in both houses, for addressing the Queen to provide against any such danger in times to come, either by signifying her own resolution to marry, or by consenting to an act establishing the order of succession to the crown[f]. Her love to her subjects, her duty to the public, her concern for posterity, it was asserted, not only called upon but obliged her to take one of these steps. The insuperable aversion which she had all along discovered for marriage, made it improbable that she would choose the former; and if she complied with the latter request, no title to the crown could, with any colour of justice, be set in opposition to that of the Scottish Queen. Elizabeth was sagacious enough to see the remotest consequences of this motion, and observed them with the greatest anxiety. Mary, by refusing so

[f] D'Ewes' Journ. of Parl. 105.

often to ratify the treaty of Edinburgh, had plainly intimated a design of embracing the first promising opportunity for prosecuting her right to the English crown; and, by her secret negotiations, she had gained many to favour her title[s]. All the Roman Catholics ardently wished for her succession. Her gentleness and humanity had removed many of those apprehensions which the Protestants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wrest the administration out of his hands, advanced the pretensions of the Scottish Queen in opposition to him. The union of the two kingdoms was a desirable object to all wise men in both nations; and the birth of the young Prince was a security for the continuance of this blessing, and gave hopes of its perpetuity. 1566.

Elizabeth's perplexity on that account.

Under these circumstances, and while the nation was in such a temper, a parliamentary declaration of Mary's title would have been highly detrimental to Elizabeth. The present unsettled state of the succession left much in her power. Her resentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto restrained and overawed the ambition of the Scottish Queen. But if this check should be removed by the legal acknowledgment of her title, Mary would be more at liberty to pursue her dangerous designs, and to act without fear or reserve. Her partisans were already meditating schemes for insurrections in different parts

[s] Melv. 136.

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of the kingdom[h]; and an act of parliament, recognising the rights of that Princess, whose pretensions they favoured, would have been nothing less than a signal to arms; and, notwithstanding Elizabeth's just title to the affections of her subjects, might have shaken and endangered her throne.

Mary endeavours to improve this opportunity.

While this matter remained in suspense in both houses, an account of it was transmitted to Mary by Melvil, her ambassador. As she did not want advocates for her right, even among those who were near Elizabeth's person, she endeavoured to cultivate the disposition which appeared towards settling the right of succession in her favour, by a letter to the privy counsellors of England. She expressed in it a grateful sense of Elizabeth's friendship, which she ascribes chiefly to their good offices with their Sovereign in her behalf. She declared her resolution to live in perpetual amity with England, without urging or pursuing her claim upon the crown any further than should be agreeable to the Queen. But, at the same time, as her right of succession was undoubted, she hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her wrote to the English privy council in the same strain[i]. Mary artfully gave these letters the air of being nothing more than a declaration of her own and of her subjects' gratitude towards Elizabeth. But, as she could not be ignorant of the jealousy and fear with which Elizabeth observed the proceedings of Parliament, a step so uncommon as this, of one Prince's enter-

[h] Melv. 147. [i] Keith, 354. Append. 136.

ing into public correspondence with the privy councellors of another, could not be otherwise construed than as taken with an intention to encourage the spirit which had already been raised among the English. In this light it seems to have appeared to Elizabeth herself[k]. But the disposition of her people rendering it necessary to treat Mary's person with great decency, and her title with much regard, she mentioned it to her only in the softest language.

Elizabeth sooths and gains her Parliament.

Nothing, however, could be a more cruel mortification to a Princess of Elizabeth's character, than the temper which both houses of Parliament discovered on this occasion. She bent all her policy to defeat or elude the motion. After allowing the first heat of their zeal to evaporate, she called into her presence a certain number of each house. She soothed and caressed them; she threatened and promised; she remitted subsidies which were due, and refused those which were offered; and, in the end, prevailed to have this formidable motion put off for that session. Happily for her, the conduct of the Scottish Queen, and the misfortunes which befel her, prevented the revival of such a motion in any future parliament[l].

Meantime, in order to preserve the reputation of impartiality, and that she might not drive Mary into any desperate measure, she committed to the Tower one Thornton, who had published some-

[k] Keith, 357.

[l] D'Ewes' Journ. 104—130. Camd. 399. Melv. 119. Haynes, 446.

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thing derogatory to the right of the Scottish line[m]; and signified her displeasure against a member of the House of Commons, who seemed, by some words in a speech, to glance at Mary[n].

An extraordinary step of Mary's in favour of popery.

Amidst all her other cares, Mary was ever solicitous to promote the interest of that religion which she professed. The re-establishment of the Romish doctrine seems to have been her favourite passion; and though the design was concealed with care and conducted with caution, she pursued it with a persevering zeal. At this time she ventured to lay aside somewhat of her usual reserve; and the aid which she expected from the Popish Princes, who had engaged in the league of Bayonne, encouraged her to take a step, which, if we consider the temper of the nation, appears to be extremely bold. Having formerly held a secret correspondence with the court of Rome, she now resolved to allow a nuncio from the Pope publicly to enter her dominions. Cardinal Laurea, at that time Bishop of Mondovi, was the person on whom Pius V. conferred this office, and along with him he sent the Queen a present of twenty thousand crowns[o]. It is not the character of the papal court to open its treasury upon distant or imaginary hopes. The business of the nuncio into Scotland could be no other than to attempt a reconciliation of that kingdom to the Romish see. Thus Mary herself understood it; and, in her answer to a letter which she received from the Pope, after expressing her grateful sense of his paternal

[m] Camd. 401. [n] Haynes, 449.
[o] Vita Card. Laur. ap. Burn, vol. iii. p. 325.

care and liberality, she promises that she would bend her whole strength towards the re-establishment and propagation of the Catholic faith; that she would receive the nuncio with every possible demonstration of respect, and concur with the utmost vigour in all his designs towards promoting the honour of God, and restoring peace to the kingdom; that she would celebrate the baptism of the Prince according to the ceremonies which the Romish ritual prescribes, hoping that her subjects would be taught, by this example, again to reverence the sacraments of the church, which they had so long treated with contempt; and that she would be careful to instil early into her son the principles of a sincere love and attachment to the Catholic faith[p]. But though the nuncio was already arrived at Paris, and had sent over one of his attendants with part of the money, the Queen did not think the juncture proper for his reception. Elizabeth was preparing to send a magnificent embassy into Scotland, against the time of the Prince's baptism, and, as it would have been improper to offend her, she wisely contrived, under various pretences, to detain Laurea at Paris[q]. The convulsions into which the kingdom was thrown soon after, made it impossible for him to pursue his journey any further.

At the very time that Mary was secretly carrying on these negotiations for subverting the reformed church, she did not scruple publicly to employ her

[p] Conæi Vita Mariæ, ap. Jebb, vol. ii. p. 51.

[q] Keith, Append. 135.

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authority towards obtaining for its ministers a more certain and comfortable subsistence[r]. During this year, she issued several proclamations and acts of council for that purpose, and readily approved of every scheme which was proposed for the more effectual payment of their stipends. This part of her conduct does little honour to Mary's integrity: and though justified by the example of Princes, who often reckon falsehood and deceit among the necessary arts of government, and even authorized by the pernicious casuistry of the Roman church, which transfers breach of faith to heretics from the list of crimes to that of duties; such dissimulation, however, must be numbered among those blemishes which never stain a truly great and generous character.

December. Her aversion for the King excessive.

As neither the French nor Piedmontese ambassadors were yet arrived, the baptism of the Prince was put off from time to time. Meanwhile, Mary fixed her residence at Craigmillar[s]. Such a retirement, perhaps, suited the present temper of her mind, and induced her to prefer it before her own palace of Holyrood-house. Her aversion for the King grew every day more confirmed, and was become altogether incurable. A deep melancholy succeeded to that gaiety of spirit which was natural to her. The rashness and levity of her own choice, and the King's ingratitude and obstinacy, filled her with shame and with despair. A variety of passions preyed at once on a mind, all whose sensa-

[r] Keith, 561, 562. Knox, 401. [s] Keith, 355.

tions were exquisite, and all its emotions strong, and often extorted from her the last wish of the unfortunate, that life itself might come to an end[t]. BOOK IV. 1566.

But as the Earl of Bedford, and the Count de Brienne, the English and French ambassadors, whom she had long expected, arrived about this time, Mary was obliged to suppress what passed in her bosom, and to set out for Stirling in order to celebrate the baptism of her son. Bedford was attended by a numerous and splendid train, and brought presents from Elizabeth, suitable to her own dignity, and the respect with which she affected, at that time, to treat the Queen of Scots. Great preparations had been made by Mary, and the magnificence displayed by her on this occasion exceeded whatever had been formerly known in Scotland. The ceremony itself was performed according to the rites of the Romish church. But neither Bedford nor any of the Scottish nobles who professed the Protestant religion, entered within the gates of the chapel[u]. The spirit of that age, firm and uncomplying, would not, upon any inducement, condescend to witness an action which is deemed idolatrous. Dec. 17.

Henry's behaviour at this juncture perfectly discovers the excess of his caprice, as well as of his folly. He chose to reside at Stirling, but confined himself to his own apartment; and, as the Queen distrusted every nobleman who ventured to converse with him, he was left in absolute solitude. Nothing could be more singular, or was less expected, than

The King's capricious behaviour at the baptism of the Prince.

[t] Keith, Pref. vii. [u] Ibid. 360.

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his choosing to appear in a manner that both published the contempt under which he had fallen, and, by exposing the Queen's domestic unhappiness to the observation of so many foreigners, looked like a step taken on purpose to mortify and to offend her. Mary felt this insult sensibly; and notwithstanding all her efforts to assume the gaiety which suited the occasion, and which was necessary for the polite reception of her guests, she was sometimes obliged to retire, in order to be at liberty to indulge her sorrow, and give vent to her tears[x]. The King still persisted in his design of retiring into foreign parts, and daily threatened to put it into execution[y].

Elizabeth endeavours to accommo-

The ceremony of witnessing the Prince's baptism was not the sole business of Bedford's embassy. His instructions contained an overture which ought

[x] Keith, Pref. vii.

[y] Camden affirms, 401, that Bedford was commanded by Elizabeth not to give Darnly the title of King. As this was an indignity not to be borne either by Mary or her husband, it hath been asserted to be the cause of the King's absence from the ceremony of his son's baptism. Keith, 360. Good. 319. But, 1. No such thing is to be found among Bedford's instructions, the original of which still remains. Keith, 356. 2. Bedford's advice to the Queen by Melvil is utterly inconsistent with Camden's assertion. Melv. 153. Melvil's account is confirmed by Elizabeth's instructions to Sir Henry Norris, where she affirms that she commanded Bedford to employ his best offices towards reconciling Mary to her husband, which she had attempted to no purpose. Digges's Compl. Ambas. p. 13. A paper published, Appendix No. XVIII. proves the same thing. 3. Le Croc the French resident mentions the King's absence, but without giving that reason for it, which has been founded on Camden's words, though, if that had been the real one, it is hardly possible to conceive that he should have neglected to

1566. date her differences with Mary.

to have gone far towards extinguishing those jealousies which had so long subsisted between the two Queens. The treaty of Edinburgh, which had been so often mentioned, was the principal occasion of these. The spirit, however, which had risen to such an height in the late parliament, the power of the party which favoured the Scottish Queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expressions in that treaty might afford her. Nothing was now demanded of Mary, but to renounce any title to the crown of England during Elizabeth's life and the lives of her posterity; who, on the other hand, engaged to take no step which might prove injurious to Mary's claim upon the succession [z].

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mention it. Le Croc's first letter is dated December 2, some time prior to the arrival of the Earl of Bedford in Scotland; and when his instructions, either public or secret, could hardly be known. Le Croc plainly supposes that the discord between the King and Queen was the cause of his absence from the baptism, and his account of this matter is that which I have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the King and the Queen, he had refused to hold any further correspondence with the former, though he appears, in many instances, to have been his great confident. Ibid. 5. As the King was not present at the baptism, he seems to have been excluded from any share in the ordinary administration of business. Two acts of privy council, one on the 20th and the other on the 21st of December, are found in Keith, 562. They both run in the Queen's name alone. The King seems not to have been present. This could not be owing to Elizabeth's instructions to Bedford.

[z] Keith, 356.

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Mary could not with decency reject a proposition so equitable; she insisted, however, that Elizabeth should order the right upon which she claimed, to be legally examined, and publicly recognised, and particularly that the testament of Henry VIII., whereby he had excluded the descendants of his eldest sister the Queen of Scotland, from the place due to them in the order of succession, might be produced, and considered by the English nobility. Mary's ministers had credulously embraced an opinion, that this testament, which they so justly conceived to be injurious to their mistress, was a mere forgery; and on different occasions had urged Elizabeth to produce it. Mary would have suffered considerably by gaining this point. The original testament is still extant, and not the least doubt can be entertained of its genuineness and authenticity. But it was not Elizabeth's intention to weaken or to set aside the title of the house of Stewart. She aimed at nothing more than to keep the question concerning the succession perplexed and undecided; and by industriously eluding this request, she did, in one respect, real service to Mary's cause [a].

A few days after the baptism of the Prince, Morton and all the other conspirators against Rizio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every treaty in their behalf, yielded at last to the solicitations of Bothwell. He could hope for no

[a] Rymer, xv. p. 110. Keith, 358. Note (c). Murden, 368.
[b] Good. vol. i. 140. Melv. 154.

success in those bold designs on which his ambition resolved to venture, without drawing aid from every quarter. By procuring a favour from Morton and his associates, of which they had good reason to despair, he expected to secure a band of faithful and determined adherents.

The King still remained at Stirling in solitude and under contempt. His impatience in this situation, together with the alarm given him by the rumour of a design to seize his person and confine him to prison[c], was the occasion of his leaving that place in an abrupt manner, and retiring to his father at Glasgow.

June 25. Dec. 25. Church affairs.

Two assemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the Protestant clergy were suffered to languish. Penurious as the allotment for their subsistence was, they had not received the least part of what was due for the preceding year[d]. Nothing less than a zeal ready to endure and to suffer every thing for a good cause, could have persuaded men to adhere to a church so indigent and so neglected. The extraordinary expenses occasioned by the Prince's baptism had exhausted the Queen's treasury, and the sums appropriated for the subsistence of the clergy were diverted into other channels. The Queen was therefore obliged to prevent the just remonstrances of the assembly, by falling on some new method for the relief of the church. Some symptoms of liberality, some stretch towards muni-

[c] Keith, Pref. viii.

[d] Ibid. 562.

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ficence, might have been expected in an assignment which was made with an intention of soothing and silencing the clergy. But both the Queen and the nobles held fast the riches of the church which they had seized. A sum which, at the highest computation, can hardly be reckoned equal to nine thousand pounds sterling[e], was deemed sufficient for the maintenance of a whole national church, by men who had lately seen single monasteries possessed of revenues far superior in value.

The ecclesiastics in that age bore the grievances which affected themselves alone with astonishing patience; but, wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudest manner, their apprehensions of danger. A just occasion of this kind was given them a short time before the meeting of the assembly. The usurped and oppressive jurisdiction of the spiritual courts had been abolished by the Parliament in the year one thousand five hundred and sixty, and commissaries were appointed to hear and determine the causes which formerly came under their cognizance[f]. Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commissaries, and had given them instructions for directing their proceedings[g], which are still of great authority in that court. From the time of their first appointment, these judges had continued in the uninterrupted exercise of their function, when of a sudden the Queen issued a proclamation, restoring the

[e] Keith, 562. [f] Ibid. 152. [g] Ibid. 251.

Archbishop of St. Andrew's to his ancient juris- BOOK IV.
diction, and depriving the commissaries of all au- 1566.
thority[h].

A motive, which cannot be justified, rendered the Queen not unwilling to venture upon this rash action. She had been contriving for some time how to re-establish the Popish religion; and the restoring the ancient ecclesiastics to their former jurisdiction seemed to be a considerable step towards that end. The motive which prompted Bothwell, to whose influence over the Queen this action must be chiefly imputed[i], was still more criminal. His enterprising ambition had already formed that bold design, which he soon after put in execution; and the use which we shall hereafter find him making of that authority which the Popish ecclesiastics regained, discovers the reasons of his present conduct in contributing to revive their power. The Protestant clergy were not unconcerned spectators of an event which threatened their religion with unavoidable destruction; but, as they despaired of obtaining the proper remedy from the Queen herself, they addressed a remonstrance to the whole body of the Protestant nobility, full of that ardent zeal for religion, which the danger to which it was exposed at that time seemed to require[k]. What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

Immediately upon the King's leaving Stirling,

[h] Knox, 403. [i] Id. ibid. [k] Keith, 567.

BOOK IV. and before he could reach Glasgow, he was seized with a dangerous distemper. The symptoms which attended it were violent and unusual, and in that age it was commonly imputed to the effects of poison[l]. It is impossible, amidst the contradictions of historians, to decide with certainty concerning its nature or its cause[m]. His life was in the utmost danger; but, after lingering for some weeks, the vigour of his constitution surmounted the malignity of his disease.

1567. The King falls sick at Glasgow.

Neglected by Mary. Mary's neglect of the King on this occasion was equal to that with which he had treated her during

[l] Melv. 154. Knox, 401.

[m] Buchanan and Knox are positive that the King had been poisoned. They mention the black and putrid pustules which broke out all over his body. Buchanan adds, that Abernethy, the King's physician, plainly declared that poison was the cause of these symptoms, and that the Queen refused to allow her own physician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Causin, &c. Jebb, vol. ii. 59. 214. assert that the small-pox was the disease with which the King was seized. He is called a *Pockish man* in the Queen's letter. Good. vol. ii. 15. The reason given by *French Paris* for lodging the King at the Kirk of Field, viz. lest the young Prince should catch the infection if he staid in the palace, seems to favour this opinion. Anders. vol. ii. 193. Carte mentions it as a proof of Mary's tenderness to her husband, that though she never had the small-pox herself, she ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not visiting him sooner; but Mary had the small-pox in her infancy. Sadler's Letters, p. 330. An additional proof of this is produced from a poem of Adrian Turnebus, by the publisher of ancient Scottish poems, p. 308. 3. Bishop Lesley affirms that the King's disease was the French pox. Keith, 364. Note (*b*). In that age, this disease was esteemed so contagious, that persons infected with it were removed without the walls of cities.

her illness at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to sympathy, and delights in all those tender offices which soothe and alleviate sickness and pain. At this juncture, she did not even put on the appearance of this passion. Notwithstanding the King's danger, she amused herself with excursions to different parts of the country, and suffered near a month to elapse before she visited him at Glasgow. By that time the violence of the distemper was over, and the King, though weak and languishing, was out of all danger. BOOK IV. 1567.

The breach between Mary and her husband was not occasioned by any of those slight disgusts which interrupt the domestic union, without dissolving it altogether. Almost all the passions which operate with greatest violence on a female mind, and drive it to the most dangerous extremes, concurred in raising and fomenting this unhappy quarrel. Ingratitude for the favours she had bestowed, contempt of her person, violations of the marriage-vow, encroachments on her power, conspiracies against her favourites, jealousy, insolence, and obstinacy, were the injuries of which Mary had great reason to complain. She felt them with the utmost sensibility; and, added to the anguish of disappointed love, they produced those symptoms of despair which we have already described. Her resentment against the King seems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambassador in France, on the day before she set out for Glasgow, no tokens of sudden reconcilement appear. On the contrary, she mentions, with some Jan. 20. The breach between them irreparable.

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bitterness, the King's ingratitude, the jealousy with which he observed her actions, and the inclination he discovered to disturb her government, and at the same time talks of all his attempts with the utmost scorn[n].

Visits the King at Glasgow.

After this discovery of Mary's sentiments, at the time of her departure from Edinburgh to Glasgow, a visit to the King, which had been neglected when his situation rendered it most necessary, appears singular; and it could hardly be expected that any thing but marks of jealousy and distrust should appear in such an interview. This, however, was far from being the case; she not only visited Henry, but, by all her words and actions, endeavoured to express an uncommon affection for him: and though this made impression on the credulous spirit of her husband, no less flexible on some occasions than obstinate on others; yet to those who are acquainted with the human heart, and who know how seldom and how slowly such wounds in domestic happiness are healed, this sudden transition will appear with a very suspicious air, and will be considered by them as the effect of artifice.

Her dissimulation.

But it is not on suspicion alone, that Mary is charged with dissimulation in this part of her conduct. Two of her famous letters to Bothwell were written during her stay at Glasgow, and fully lay open this scene of iniquity. He had so far succeeded in his ambitious and criminal design, as to gain an absolute ascendant over the Queen; and, in a situation such as Mary's, merit not so conspi-

[n] Keith, Pref. viii.

cuous, services of far inferior importance, and address much less insinuating than Bothwell's, may be supposed to steal imperceptibly on a female heart, and entirely to overcome it. Unhappily, among those in the higher ranks of life, scruples with regard to conjugal fidelity, are, often, neither many nor strong: nor did the manners of that court in which Mary had been educated contribute to increase or to fortify them. The amorous turn of Francis I. and Henry II., the licentiousness of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet acquired that delicacy of sentiment and those polished manners which alone can render this liberty innocent, had introduced among the French an astonishing relaxation in domestic morals. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminishing that horror of vice which is natural to a virtuous mind. The King's behaviour would render the first approach of forbidden sentiments less shocking; resentment and disappointed love would be apt to represent whatever soothed her revenge, as justifiable on that account; and so many concurring causes might, almost imperceptibly, kindle a new passion in her heart.

The motives of it.

But, whatever opinion we may form with regard to the rise and progress of this passion, the letters themselves breathe all the ardour and tenderness of love. The affection which Mary there expresses for Bothwell, fully accounts for every subsequent part of her conduct; which, without admitting this circumstance, appears altogether mysterious, incon-

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sistent, and inexplicable. That reconcilement with her husband, of which, if we allow it to be genuine, it is impossible to give any plausible account, is discovered, by the Queen's own confession, to have been mere artifice and deceit. As her aversion for her husband, and the suspicious attention with which she observed his conduct, became universally known, her ears were officiously filled, as is usual in such cases, with groundless or aggravated accounts of his actions. By some she was told, that the King intended to seize the person of the Prince his son, and in his name to usurp the government; by others she was assured that he resolved instantly to leave the kingdom; that a vessel was hired for this purpose, and lay in the river Clyde ready to receive him[o]. The last was what Mary chiefly dreaded. Henry's retiring into a foreign country must have been highly dishonourable to the Queen, and would have entirely disconcerted Bothwell's measures. While he resided at Glasgow, at a distance from her, and in that part of the kingdom where the interest of his family was greatest, he might with more facility accomplish his designs. In order, therefore, to prevent his executing any such wild scheme, it was necessary to bring him to some place where he would be more immediately under her own eye.

Prevails on him to come to Edinburgh.

For this purpose, she first employed all her art to regain his confidence, and then proposed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have easier access to the advice of physicians, and that she herself could at-

[o] Keith, Pref. viii.

tend him without being absent from her son[p]. The King was weak enough to suffer himself to be persuaded; and, being still feeble and incapable of bearing fatigue, was carried in a litter to Edinburgh.

The place prepared for his reception was a house belonging to the provost of a collegiate church, called Kirk of Field. It stood almost upon the same spot where the house belonging to the principal of the university now stands. Such a situation, on a rising ground, and at that time in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the solitude of the place rendered it extremely proper for the commission of that crime, with a view to which it seems manifestly to have been chosen.

He is murdered there.

Mary continued to attend the King with the most assiduous care. She seldom was absent from him through the day; she slept two nights in the chamber under his apartment. She heaped on him so many marks of tenderness and confidence, as in a great measure quieted those suspicions which had so long disturbed him. But while he was fondly indulging in dreams of the return of his former happiness, he stood on the very brink of destruction. On Sunday the ninth of February, about eleven at night, the Queen left the Kirk of Field, in order to be present at a masque in the palace. At two next morning, the house in which the King lay was blown up with gunpowder. The noise and shock which this sudden explosion occasioned, alarmed the whole city. The inhabitants ran to the place

[p] Good. vol. ii. 8.

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whence it came. The dead body of the King, with that of a servant who slept in the same room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruise or mark of violence.

His character.

Such was the unhappy fate of Henry Stewart Lord Darnly, in the twenty-first year of his age. The indulgence of fortune, and his own external accomplishments, without any other merit, had raised him to an height of dignity of which he was altogether unworthy. By his folly and ingratitude, he lost the heart of a woman who doted on him to distraction. His insolence and inconstancy alienated from him such of the nobles as had contributed most zealously towards his elevation. His levity and caprice exposed him to the scorn of the people, who once revered him as the descendant of their ancient Kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumstances of his murder, and the shameful remissness in neglecting to avenge it, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwise no title.

Bothwell and the Queen suspected of the murder.

Every one's imagination was at work to guess who had contrived and executed this execrable deed. The suspicion fell, with almost general consent, on Bothwell[q]; and some reflections were thrown out, as if the Queen herself were no stranger to the crime. Of Bothwell's guilt there remains the fullest evi-

[q] Melv. 155. Anders. vol. ii. 156.

dence that the nature of the action will admit. The Queen's known sentiments with regard to her husband, gave a great appearance of probability to the imputation with which she was loaded[r].

Two days after the murder, a proclamation was issued by the Queen, offering a considerable reward to any person who should discover those who had been guilty of such a horrid and detestable crime[s]; and though Bothwell was now one of the greatest subjects in the kingdom, formidable on account of his own power, and protected by the Queen's favour, it was impossible to suppress the sentiments and indignation of the people. Papers were affixed to the most public places of the city, accusing him of the murder, and naming his accomplices; pictures appeared to the same purpose; and voices were heard in the middle of the night, charging him with that barbarous action. But the authors of these rumours did not confine their accusations to Bothwell alone; they insinuated that the Queen herself was accessary to the crime[t]. This bold accusation, which so directly attacked Mary's reputation, drew the attention of her council; and, by engaging them in an inquiry after the authors of these libels, diverted them from searching for the murderers of the King[u]. It could scarce be expected that Mary herself would be extremely solicitous to discover those who had rid her of an husband whom she had so violently hated. It was Bothwell's interest, who

[r] See Dissertation concerning the murder of Henry Darnly, and the genuineness of Mary's letters to Bothwell, Appendix.

[s] Anders. vol. i. 36.

[t] Id. vol. ii. 156.

[u] Id. vol. i. 38.

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had the supreme direction of this, as well as of all other affairs, to stifle and suppress whatever evidence should be offered, and to cover, if possible, the whole transaction under the veil of darkness and of silence. Some inquiry, however, was made, and some persons called before the council; but the examination was conducted with the most indecent remissness, and in such a manner as to let in no light upon that scene of guilt[x].

It was not her own subjects alone who suspected Mary of having been accessary to this unnatural crime; nor did an opinion so dishonourable to her character owe its rise and progress to the jealousy and malice of her factious nobles. The report of the manner and circumstances of the King's murder spread quickly over all Europe; and even in that age, which was accustomed to deeds of violence, it excited universal horror. As her unhappy breach with her husband had long been matter of public discourse, the first conjectures which were formed with regard to his death, were extremely to her disadvantage. Her friends, at a loss what apology to offer for her conduct, called on her to prosecute the murderers with the utmost diligence, and expected that the rigour of her proceedings would prove the best and fullest vindication of her innocence[y].

Lennox accuses Bothwell of the King's murder.

Lennox at the same time incited Mary to vengeance with incessant importunity. This nobleman had shared in his son's disgrace, and being treated by Mary with neglect, usually resided at a distance

[x] Anders. vol. iv. part ii. 167, 168. [y] Keith, Pref. ix.

from court. Roused, however, by an event no less shocking to the heart of a father, than fatal to all his schemes of ambition, he ventured to write to the Queen, and to offer his advice with respect to the most effectual method for discovering and convicting those who had so cruelly deprived him of a son, and her of a husband. He urged her to prosecute those who were guilty with vigour, and to bring them to a speedy trial; he declared his own suspicion of Bothwell, and of those who were named as his accomplices; he required that, out of regard to decency, and in order to encourage evidence to appear against them, the persons accused of such an atrocious crime should be committed to custody, or at least excluded from her court and presence [z]. 1567. Feb. 21.

Mary was then at Seaton, whither she had retired after the burial of the King, whose body was deposited among the monarchs of Scotland in a private but decent manner [a]. The former part of the Earl's demand could not on any pretence be eluded; and it was resolved to bring Bothwell immediately to trial. But, instead of confining him to any prison, Mary admitted him into all her councils, and allowed a person, universally reputed the murderer of her husband, to enjoy all the security, the dignity, and the power of a favourite [b]. The offices which Bothwell already possessed, gave him the command of all the south of Scotland. The castle of Edinburgh, however, was a place of so much consequence, that he wished earnestly to have it in

Mary continues to favour him.

[z] Keith, 369, &c.

[a] Anders. vol. i. 23.

[b] Anders. vol. i. 40, &c.

BOOK IV. 1567. March 19.

his own power. The Queen, in order to prevail on the Earl of Mar to surrender it, consented to put the person of the young Prince in his hands, and immediately bestowed the government of that important fortress upon Bothwell[c]. So many steps in her conduct inconsistent with all the rules of prudence and of decency, must be imputed to an excess either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and striking proofs soon appeared.

Hastens on his trial.

No direct evidence had yet appeared against Bothwell; but as time might bring to light the circumstances of a crime in which so many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general suspicions, and uncertain surmises, could be produced by his accusers. For this reason, in a meeting of privy council held on the twenty-eighth of March, the twelfth of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal causes were carried on in that age required, a much longer interval, it appears from several circumstances that this short space was considerably contracted, and that Lennox had only eleven days' warning to prepare for accusing a person so far superior to himself both in power and in favour[d]. No man could be less in

[c] Anders. vol. i. Pref. 64. Keith, 379.

[d] The act of privy council, appointing the day of Bothwell's trial, bears date March the 28th, which happened on a Thursday. Anders. vol. i. 50. The Queen's warrant to the *messengers*, empowering them to summon Lennox to be present, is dated on the 29th. Anders. vol. ii. 97. He was summoned by public pro-

a condition to contend with an antagonist who was thus supported. Though Lennox's paternal estate had been restored to him when he was recalled into Scotland, it seems to have been considerably impaired during his banishment. His vassals, while he resided in England, had been accustomed to some degree of independence, and he had not recovered that ascendant over them, which a feudal chief usually possessed. He had no reason to expect the concurrence of any of those factions into which the nobles were divided. During the short period of his son's prosperity, he had taken such steps as gave rise to an open breach with Murray and all his adherents. The partisans of the house of Hamilton were his hereditary and mortal enemies. Huntly was linked in the closest confederacy with Bothwell; and thus, to the disgrace of the nation, Lennox stood alone in a cause where both honour and humanity called so loudly on his countrymen to second him.

clamation at the cross of Edinburgh on the same day. Ibid. 100. He was summoned at his dwelling-houses in Glasgow and Dumbarton the 30th of March, the 1st and 2d days of April. Ibid. 101. He was summoned at Perth, April 1st. Ibid. 102. Though Lennox resided at that time forty miles from Edinburgh, the citation might have been given him sooner. Such an unnecessary delay affords some cause for suspicion. It is true, Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the ensuing week; this gave him warning some days sooner, that she intended to bring on the trial without delay. But the precise time could not be legally or certainly known to Lennox sooner than ten or twelve days before the day on which he was required to appear. By the law and practice of Scotland, at that time, parties were summoned, in cases of treason, forty days previous to the trial.

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It is remarkable too, that Bothwell himself was present, and sat as a member in that meeting of privy council which gave directions with regard to the time and manner of his own trial; and he still enjoyed not only full liberty, but was received into the Queen's presence with the same distinguished familiarity as formerly[e].

Lennox craves a delay.

Nothing could be a more cruel disappointment to the wishes and resentment of a father, than such a premature trial; every step towards which seemed to be taken by directions from the person who was himself accused of the crime, and calculated on purpose to conceal rather than to detect his guilt. Lennox foresaw what would be the issue of this mock inquiry, and with how little safety to himself, or success to his cause, he could venture to appear on the day prefixed. In his former letters, though under expressions the most respectful, some symptoms of his distrusting the Queen may be discovered. He spoke out now in plain language. He complained of the injury done him, by hurrying on the trial with such illegal precipitation. He represented once more the indecency of allowing Bothwell not only to enjoy personal liberty, but to retain his former influence over her councils. He again required her, as she regarded her own honour, to give some evidence of her sincerity in prosecuting the murder, by confining the person who was on good grounds suspected to be the author of it; and, till that were done, he signified his own resolution not to be present at a trial, the manner and

[e] Anders. vol. i. 50. 52.

circumstances of which were so irregular and unsatisfactory[f]. BOOK IV.

1567.

He seems, however, to have expected little success from this application to Mary; and therefore at the same time besought Elizabeth to interpose, in order to obtain such a delay as he demanded[g]. Nothing can be a stronger proof how violently he suspected the one Queen, than his submitting to implore the aid of the other, who had treated his son with the utmost contempt, and himself and family with the greatest rigour. Elizabeth, who was never unwilling to interpose in the affairs of Scotland, wrote instantly to Mary, advised her to delay the trial for some time, and urged in such strong terms the same arguments which Lennox had used, as might have convinced her to what an unfavourable construction her conduct would be liable, if she persisted in her present method of proceeding[h]. Applies for this purpose to Elizabeth.

Neither her entreaties, however, nor those of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with such a formidable retinue, that it would have been dangerous to condemn, and impossible to punish him. Besides a numerous body of his friends and vassals, assembled, according to custom, from different parts of the kingdom, he was attended by a band of hired soldiers, who marched with flying colours along the streets of Edinburgh[i]. A court of justice was held with the accustomed formalities. An indictment was presented against Bothwell, and The trial proceeds.

[f] Anders. vol. i. 52.
[g] Good. vol. ii. 352.
[h] Anders. Pref. 60. See Appendix, No. XIX.
[i] Anders. vol. i. 135.

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Lennox was called upon to make good his accusation. In his name appeared Robert Cunningham, one of his dependants. He excused his master's absence, on account of the shortness of the time, which prevented his assembling his friends and vassals, without whose assistance he could not with safety venture to set himself in opposition to such a powerful antagonist. For this reason, he desired the court to stop proceeding, and protested, that any sentence which should be passed at that time ought to be deemed illegal and void. Bothwell, on the other hand, insisted that the court should instantly proceed to trial. One of Lennox's own letters, in which he craved of the Queen to prosecute the murderers without delay, was produced. Cunningham's objections were over-ruled; and the jury, consisting of peers and barons of the first rank, found Bothwell not guilty of the crime.

Bothwell is acquitted.

No person appeared as an accuser, not a single witness was examined, nor any evidence produced against him. The jury, under these circumstances, could do nothing else but acquit him. Their verdict, however, was far from gratifying the wishes, or silencing the murmurs, of the people. Every circumstance in the trial gave grounds for suspicion, and excited indignation; and the judgment pronounced, instead of being a proof of Bothwell's innocence, was esteemed an argument of his guilt. Pasquinades and libels were affixed to different places, expressing the sentiments of the public with the utmost virulence of language.

The jury themselves seem to have been aware of the censure to which their proceedings would be

exposed; and, at the same time that they returned their verdict acquitting Bothwell, the Earl of Caithness protested, in their name, that no crime should be imputed to them on that account, because no accuser had appeared, and no proof was brought of the indictment. He took notice likewise, that the ninth instead of the tenth of February was mentioned in the indictment, as the day on which the murder had been committed: a circumstance which discovers the extreme inaccuracy of those who prepared the indictment; and at a time when men were disposed, and not without reason, to be suspicious of every thing, this small matter contributed to confirm and to increase their suspicions[k]. BOOK IV. 1567.

Even Bothwell himself did not rely on the judgment which he had obtained in his favour as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a custom which was not then obsolete, published a writing, in which he offered to fight in single combat any gentleman of good fame, who should presume to accuse him of being accessary to the murder of the King.

Mary, however, continued to treat him as if he had been cleared by the most unexceptionable and satisfactory evidence. The ascendant he had gained over her heart, as well as over her councils, was more visible than ever; and Lennox, who could not expect that his own person could be safe in a country where the murderer of his son had been absolved, without regard to justice; and loaded with

[k] Bothw. Trial, Anders. vol. ii. 97, &c.

BOOK IV. honours, in contempt of decency; fled with precipitation towards England[l].

1567. Two days after the trial, a parliament was held, at the opening of which the Queen distinguished Bothwell, by appointing him to carry the sceptre before her[m]. Most of the acts passed in this assembly were calculated on purpose to strengthen his party, and to promote his designs. He obtained the ratification of all the possessions and honours which the partiality of the Queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntly was repealed, and he and his adherents were restored to the estates and honours of their ancestors. Several of those who had been on the jury which acquitted Bothwell, obtained ratifications of the grants made in their favour; and as pasquinades daily multiplied, a law passed whereby those into whose hands any paper of that kind fell, were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner as if they had been the original authors[n].

A parliament held April 14.

Remarkable law in favour of the Reformation.

But the absolute dominion which Bothwell had acquired over Mary's mind appeared in the clearest manner, by an act in favour of the Protestant religion, to which at this time she gave her assent.

[l] Keith, 378. Note (*d*).
[m] Id. ibid.
[n] Ibid. 380.

Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the design, nor lost the hopes, of restoring it. She had of late come under new engagements to that purpose, and in consequence of these had ventured upon some steps more public and vigorous than any she had formerly taken. But though none of these circumstances were unknown to Bothwell, there were powerful motives which prompted him at this juncture to conciliate the good-will of the Protestants, by exerting himself in order to procure for them some additional security in the exercise of their religion. That which they enjoyed at present was very precarious, being founded entirely on the royal proclamation issued soon after the arrival of the Queen in Scotland, which in express terms was declared to be only a temporary regulation. From that period, neither the solicitations of the general assemblies of the church, nor the entreaties of her people, could extort from Mary any concession in favour of the Protestant religion, on which the professors might rest with greater confidence. This, however, by the more powerful influence of Bothwell, they now obtained. An act was passed in this parliament, repealing all the laws, canon, civil, and municipal, adverse to the reformed religion, and exempting such as had embraced it from the penalties to which they might have been subjected by these laws, either on account of their past conduct or present profession; declaring at the same time that their persons, estates, honours, and benefices, were taken under public protection against every court, civil or ecclesiasti-

BOOK IV. 1567.

cal, that might attempt to molest them on account of their religious sentiments. Thus the Protestants, instead of holding their sacred rights by no better tenure than a declaration of royal indulgence, which might be revoked at pleasure, obtained legal and parliamentary protection in the exercise of their religion. By prevailing on the Queen to assent to this law, Bothwell seems to have flattered himself that he would acquire such merit both with the clergy and with the people, as might induce them to favour his ambitious schemes, and to connive at what he had done, or might do, in order to accomplish them. The Protestants accordingly, though this act was far from amounting to a legal establishment of the reformed faith, seem to have considered it as an additional security of such importance, that it was published among the laws enacted in a parliament held towards the close of this year, under very different leaders[o].

[o] I am indebted to the accuracy of Sir David Dalrymple, for pointing out (Remarks on the History of Scotland, ch. 9.) a considerable error into which I had fallen with respect to this act, by supposing it to be so favourable to the doctrine of the Reformation, that the Parliament which met Dec. 15. could substitute nothing stronger or more explicit in its place, and thought it sufficient to ratify it word for word. This error I have now corrected; but, after considering the act with particular attention, though I am satisfied that it neither established the reformed religion or the religion of the state, nor abolished popery, yet it granted such new and legal security to the Protestants, as was deemed, in that age, an acquisition of great value. The framers of the law seem manifestly to have viewed it in that light. After reciting, "that the Queen, since her arrival, had attempted nothing contrary to the state of religion which she found publicly and universally standing, on which ac-

Every step taken by Bothwell had hitherto been attended with all the success which his most sanguine wishes could expect. He had entirely gained the Queen's heart; the murder of the King had excited no public commotion; he had been acquitted by his peers of any share in that crime; and their decision had been in some sort ratified in parlia-

1567. Bothwell prevails on the nobles to recommend him as an husband to the Queen.

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count she was most worthy to be served, honoured, and obeyed, &c."—the act goes on, "that as she intends to continue the same goodness and government in all times coming, the professors of the religion aforesaid may and shall have occasion to praise God for her happy and gracious government, &c.: and to effect that, the professors of the religion aforesaid may assure themselves to be in full surety thereof, and of their lands, lives, &c. and may with the better will jeopard and hazard their lives and goods in Her Highness's service, against all enemies to her, and to the commonweal of this realm, &c. therefore our sovereign, with the advice of the whole estates in parliament, &c." then follow the statutory clauses mentioned in the text. The intention of passing the act is apparent, and it is drawn with great art. This art is peculiarly manifest in the concluding clause. In her first proclamation the Queen had declared, that it should continue in force only until she should take final order concerning religion with the advice of Parliament. In this act the intention of taking further order concerning religion is mentioned, probably with a view to please the Queen; but it is worded with such studied dexterity, that the protection granted by this law is no longer to be regarded as temporary, or depending upon the Queen taking such final order. Parl. 1. K. Ja. VI. c. 31. In the same light of an important acquisition of security to the reformed religion, this act is represented by the privy council in a proclamation issued May 23, 1567. Keith, 571. Mary's principal adherents, in a paper subscribed by them, Sept. 12, 1568, declare, that she, "by the advice of the three estates, had satisfied the desire of the whole nobility in an act concerning all the points of religion passed in the parliament held April 1567." Goodall, ii. 357. The same is asserted to be the intention and

BOOK IV. 1567. April 19.

ment. But in a kingdom where the regal authority was so extremely limited, and the power of the nobles so formidable, he durst not venture on the last action, towards which all his ambitious projects tended, without their approbation. In order to secure this, he, immediately after the dissolution of parliament, invited all the nobles who were present to an entertainment. Having filled the house with his friends and dependants, and surrounded it with armed men[P], he opened to the company his intention of marrying the Queen, whose consent, he told them, he had already obtained; and demanded their approbation of this match, which, he said, was no less acceptable to their sovereign, than honourable

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effect of this act in another public paper in the year 1570. Haynes, 621. This act is perfectly conformable to that system of policy by which Bothwell seems to have regulated his conduct both before and after this time, with a view of gaining the Protestants, particularly the clergy, by acts of indulgence and favour. On the 3d of October, 1566, when Bothwell's credit was very considerable, the Queen, in a meeting of privy council, where he was present, took measures for securing to the Protestant clergy more regular payment of their stipends; and on the 20th of December of that year, granted an assignation of a considerable sum to be applied for the support of the ministry. Keith, 360, 361, 362. In a meeting of privy council, Jan. 10, 1567, when all public transactions were entirely conducted by Bothwell, an act was passed in order to provide for the sustentation of ministers in boroughs, and Bothwell is named as one of the commissioners for carrying it into execution, with power to impose a tax on such boroughs as had no ministers, for raising a stipend. Keith, 570. In another meeting of privy council, May 23, 1567, the Queen, after mentioning the declaration which she had made in the year 1561, of her resolution to maintain that religion which she found established in the kingdom,

to himself[q]. Huntly and Seaton, who were privy to all Bothwell's schemes, promoted them with the utmost zeal; and the popish ecclesiastics, who were absolutely devoted to the Queen, and ready to sooth all her passions, instantly declared their satisfaction with what he had proposed. The rest, who dreaded the exorbitant power which Bothwell had acquired, and observed the Queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a measure which they could neither oppose nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promises and flattery, partly by terror and force, prevailed on all who were present to subscribe a paper

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and after taking notice of what additional security it had acquired by the late act of April 19th, with a view of giving still further satisfaction to the Protestants, she declared that all licences which had been obtained from her by any persons, permitting them to exercise the rites of popish worship, were now revoked and annulled. Keith, 570—572. It deserves to be remarked, that, favourable as all these acts were to the Reformation, some bishops, *whose ardent zeal for the old doctrines history records*, were present in those meetings of privy council in which they were passed. From considering all these particulars, one need not wonder that a law "anent cassing (as its title bears), annulling, and abrogating of all laws, acts, and constitutions, canone, civile, and municipal, with other constitutions, contrare to the religion now professit within the realme," confirmed by the royal assent of the Queen, should be published among the statutes securing the Protestant religion. We find accordingly, in a very rare edition of the acts of parliament, imprintit at Edinburgh by Robert Lekprevik, printar to the King's majestie, 6 day of April 1568, the act of April 19, inserted among the acts of the Regent's parliament in December.

[p] Good. vol. ii. 141. [q] Anders. vol. i. 94.

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which leaves a deeper stain than any occurrence in that age on the honour and character of the nation.

This paper contained the strongest declarations of Bothwell's innocence, and the most ample acknowledgment of his good services to the kingdom. If any future accusation should be brought against him on account of the King's murder, the subscribers promised to stand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the Queen as the most proper person she could choose for a husband: and if she should condescend to bestow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in opposing any person who endeavoured to obstruct it[r]. Among the subscribers of this paper we find some who were the Queen's chief confidents, others who were strangers to her councils, and obnoxious to her displeasure; some who faithfully adhered to her through all the vicissitudes of her fortune, and others who became the principal authors of her sufferings; some passionately attached to the Romish superstition, and others zealous advocates for the Protestant faith[s]. No common interest can be supposed to have united men of such opposite principles and parties, in recommending to their sovereign a step so injurious to her honour, and so fatal to her peace. This strange coalition was the effect of much artifice, and must be considered as the boldest and most masterly stroke of Bothwell's address. It is observable, that amidst all the alter-

[r] Anders. vol. i. 177. [s] Keith, 382.

cations and mutual reproaches of the two parties which arose in the kingdom, this unworthy transaction is seldom mentioned. Conscious on both sides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, seeming desirous that it should remain in darkness, or be buried in oblivion. But as so many persons who, both at that time and ever after, possessed the Queen's favour, subscribed this paper, the suspicion becomes strong, that Bothwell's ambitious hopes were neither unknown to Mary, nor disapproved by her [t].

[t] Of all the different systems with regard to this transaction, that of Camden seems to be the least accurate, and the worst founded. He supposes that Bothwell was hated by Murray, Morton, &c. who had been his associates in the murder of the King, and that they now wanted to ruin him. He affirms, at the same time, that the subscriptions to this paper were obtained by them out of fear that Bothwell might sink in his hopes, and betray the whole bloody secret, 404. But besides the absurdity of supposing that any man's enemies would contribute towards raising him to such high dignity, on the uncertain hopes of being able afterwards to deprive him of it; besides the impossibility of accomplishing such a marriage, if it had been either unknown to the Queen, or disagreeable to her; we may observe that this supposition is destroyed by the direct testimony of the Queen herself, who ascribes the consent of the nobles to Bothwell's artifices, *who purchased it by giving them to understand that we were content therewith.* Anders. vol. i. 94. 99. It would have been no small advantage to Mary, if she could have represented the consent of the nobles to have been their own voluntary deed. It is still more surprising to find Lesley ascribing this paper to Murray and his faction. Anders. vol. i. 26. The Bishop himself was one of the persons who subscribed it. Keith, 383. The King's commissioners, at the conference held

BOOK IV. 1567.

These suspicions are confirmed by the most direct proof. Melvil at that time enjoyed a considerable share in her favour. He, as well as his brother, kept a secret correspondence in England with those who favoured her pretensions to that crown. The rumour of her intended marriage with Bothwell having spread early in that kingdom, excited universal indignation; and Melvil received a letter from thence, which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. He put this letter into the Queen's hands, and enforced it with the utmost warmth. She not only disregarded these remonstrances, but communicated the matter to Bothwell; and Melvil, in order to save his life, was obliged to fly from court, whither he durst not return till the Earl's rage began to abate [u]. At the same time Elizabeth warned Mary of the danger and infamy to which she would expose herself by such an indecent choice: but an advice from her met with still less regard [x].

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at York 1568, pretended that none of the nobles, except the Earl of Huntly, would subscribe this paper till a warrant from the Queen was produced, by which they were allowed to do so; this warrant they had in their custody, and exhibited. Anders. vol. iv. part 2. 5. This differs from Buchanan's account, who supposes that all the nobles present subscribed the paper on the 19th, and that next day they obtained the approbation of what they had done, by way of security to themselves, 355.

[u] Melv. 156. According to Melvil, Lord Herries likewise remonstrated against the marriage, and conjured the Queen, on his knees, to lay aside all thoughts of such a dishonourable alliance, 156. But it has been observed that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the

Three days after the rising of Parliament Mary went from Edinburgh to Stirling, in order to visit the Prince her son. Bothwell had now brought his schemes to full maturity; and every precaution being taken which could render it safe to enter on the last and decisive step, the natural impetuosity of his spirit did not suffer him to deliberate any longer. Under pretence of an expedition against the free-booters on the borders, he assembled his followers; and marching out of Edinburgh with a thousand horse, turned suddenly towards Linlithgow, met the Queen on her return near that place, dispersed her slender train without resistance, seized on her person, and conducted her, together with a few of her courtiers, as a prisoner to his castle of Dunbar. She expressed neither surprise, nor terror, nor indignation, at such an outrage committed on her person, and such an insult offered to her authority, but seemed to yield without struggle or regret[y]. Melvil was at that time one of her attendants; and the of-

Bothwell carries the Queen by force to Dunbar.

April 24.

Queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of Lord Herries against the marriage happened before those made by Melvil himself. 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for, after offending Bothwell, he retired from court; he allowed his rage time to subside, and had again joined the Queen when she was seized, April 24. 158. The time which must have elapsed, by this account of the matter, was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fact, so far as relates to Lord Herries. He could not well be mistaken with regard to what himself did.

[x] Anders. vol. i. 106.

[y] Keith, 383.

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ficer by whom he was seized informed him that nothing was done without the Queen's own consent[z]. If we may rely on the letters published in Mary's name, the scheme had been communicated to her, and every step towards it was taken with her participation and advice[a].

Both the Queen and Bothwell thought it of advantage to employ this appearance of violence. It afforded her a decent excuse for her conduct; and while she could plead that it was owing to force rather than choice, she hoped that her reputation, among foreigners at least, would escape without censure, or be exposed to less reproach. Bothwell could not help distrusting all the methods which had hitherto been used for vindicating him from any concern in the murder of the King. Something was still wanting for his security, and for quieting his guilty fears. This was a pardon under the great seal. By the laws of Scotland the most heinous crime must be mentioned by name in a pardon, and then all lesser offences are deemed to be included under the general clause, *and all other crimes whatsoever*[b]. To seize the person of the Prince is high treason; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accused[c].

Is divorced from his own wife.

Bothwell having now got the Queen's person into his hands, it would have been unbecoming either a politician or a man of gallantry to have delayed consummating his schemes. The first step towards this was to have his marriage with Lady Jane Gordon,

[z] Melv. 158.
[a] Good. vol. ii. 37.
[b] Parl. 6 Jac. IV. c. 62.
[c] Anders. vol. iv. part ii. 61.

the Earl of Huntly's sister, dissolved. In order to accomplish that, in a manner consistent with the ideas of the Queen on one hand, and with the sentiments of his countrymen on the other, two different processes became necessary; one founded on the maxims of the canon law, the other accommodated to the tenets of the reformed church. Bothwell accordingly commenced a suit, in his own name, in the spiritual court of the Archbishop of St. Andrew's, the jurisdiction of which the Queen had restored, by a special commission granted for this purpose, and pleaded that Lady Jane and himself, being cousins within the prohibited degrees, and having married without a papal dispensation, their union was null from the beginning[d]. At the

BOOK IV. 1567. April 27.

[d] In her own time, it was urged as an aggravation of the Queen's guilt, that she gave her consent to marry the husband of another woman; and the charge has been often repeated since. But, according to Mary's own ideas, consonant to the principles of her religion, the marriage of Bothwell with Lady Jane Gordon was unlawful and void, and she considered them as living together not in the hallowed bonds of matrimony, but in a state of criminal intercourse. Bothwell's addresses, which struck her Protestant subjects not only as indecent but flagitious, could not appear in the same light to her; and this may be pleaded in extenuation of the crime imputed to her of having listened to them. But it will not exempt her from the charge of great imprudence in this unfortunate step. Mary was well acquainted with the ideas of her subjects, and knew what they would think of her giving ear for a moment to the courtship of a man lately married under her own eye in the church of her palace. Appendix, No. XX. Every consideration should have restrained her from forming this union, which to her people must have appeared odious and shocking. Remarks on the History of Scotland, p. 199, &c.

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same time he prevailed with Lady Jane to apply to the Protestant Court of Commissaries for a divorce, on account of his having been guilty of adultery. The influence of Bothwell was of equal weight in both courts. In the course of four days, with the same indecent and suspicious precipitancy, the one declared the marriage to be illegal and null, the other pronounced a sentence of divorce[e].

While this infamous transaction was carrying on, the Queen resided at Dunbar, detained as a prisoner, but treated with the greatest respect. Soon after, Bothwell, with a numerous train of his dependants, conducted her to Edinburgh; but, instead of lodging her in the palace of Holyrood-house, he conveyed her to the castle, of which he was governor. The discontent of the nation rendered this precaution necessary. In an house unfortified, and of easy access, the Queen might have been rescued without difficulty out of his hands. In a place of strength she was secured from all the attempts of his enemies.

May 3.

One small difficulty still remained to be surmounted. As the Queen was kept in a sort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary appeared in the court of session, and in presence of the chancellor and other judges, and several of the nobility, declared that she was now at full liberty; and though Bothwell's violence in seizing her person had at first

[e] Anders. i. 132. Append. No. XX.

excited her indignation, yet his respectful behaviour since that time had not only appeased her resentment, but determined her to raise him to higher honours[f]. 1567.

What these were, soon became public. The title of Duke of Orkney was conferred upon Bothwell; and on the fifteenth of May his marriage with the Queen, which had so long been the object of his wishes, and the motives of his crimes, was solemnized. The ceremony was performed in public, according to the rites of the Protestant church, by Adam Bothwell, Bishop of Orkney, one of the few prelates who had embraced the Reformation, and on the same day was celebrated in private according to the forms prescribed by the Popish religion[g]. The boldness with which Craig, the minister who was commanded to publish the banns, testified against the design; the small number of the nobles who were present at the marriage; and the sullen and disrespectful silence of the people when the Queen appeared in public, were manifest symptoms of the violent and general dissatisfaction of her own subjects. The refusal of Du Croc, the French ambassador, to be present at the nuptial ceremony or entertainment, discovers the sentiments of her allies with regard to this part of her conduct; and although every other action in Mary's life could be justified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an incontestable proof of her rashness, if not of her guilt. Is married to the Queen.

Mary's first care was to offer some apology for

[f] And. i. 87. [g] Id. 136. ii. 276.

BOOK IV. 1567.

her conduct to the courts of France and England. The instructions to her ambassadors still remain, and are drawn by a masterly hand. But, under all the artificial and false colouring she employs, it is easy to discover, not only that many of the steps she had taken were unjustifiable, but that she herself was conscious that they could not be justified[h].

The title of King was the only thing which was not bestowed upon Bothwell. Notwithstanding her attachment to him, Mary remembered the inconveniences which had arisen from the rash advancement of her former husband to that honour. She agreed, however, that he should sign, in token of consent, all the public writs issued in her name[i]. But, though the Queen withheld from him the title of King, he possessed, nevertheless, regal power in its full extent. The Queen's person was in his hands; she was surrounded more closely than ever by his creatures; none of her subjects could obtain audience without his permission; and, unless in his own presence, none but his confidents were permitted to converse with her[k]. The Scottish monarchs were accustomed to live among their subjects as fathers or as equals, without distrust, and with little state; armed guards standing at the doors of the royal apartment, difficulty of access, distance and retirement, were things unknown and unpopular.

Endeavours to become master

These precautions were necessary for securing to Bothwell the power which he had acquired. But, without being master of the person of the young

[h] And. 89. [i] Good. ii. 60. [k] And. i. 136.

Prince, he esteemed all that he had gained to be precarious and uncertain. The Queen had committed her son to the care of the Earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the Prince into the hands of the man who was so violently suspected of having murdered his father. Bothwell, however, laboured to get the Prince into his power, with an anxiety which gave rise to the blackest suspicions. All his address as well as authority, were employed to persuade or to force Mar into a compliance with his demands[1]. And it is no slight proof, both of the firmness and dexterity of that nobleman, that he preserved a life of so much importance to the nation, from being in the power of a man, whom fear or ambition might have prompted to violent attempts against it.

1567. of the Prince's person.

The eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened in Scotland during three months; a King murdered with the utmost cruelty, in the prime of his days, and in his capital city; the person suspected of that odious crime suffered not only to appear publicly in every place, but admitted into the presence of the Queen, distinguished by her favour, and intrusted with the chief direction of her affairs; subjected to a trial which was carried on with most shameless partiality, and acquitted by a sentence which served only to confirm the suspicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and, after all this, instead of meet-

General indignation which the Queen's conduct excited.

[1] Melv. 160. Buch. 361.

BOOK IV. 1567.

ing with the ignominy due to his actions, or the punishment merited by his crimes, permitted openly, and without opposition, to marry a Queen, the wife of the Prince whom he had assassinated, and the guardian of those laws which he had been guilty of violating. Such a quick succession of incidents, so singular and so detestable, in the space of three months, is not to be found in any other history. They left, in the opinion of foreigners, a mark of infamy on the character of the nation. The Scots were held in abhorrence all over Europe; they durst hardly appear any where in public; and, after suffering so many atrocious deeds to pass with impunity, they were universally reproached as men void of courage, or of humanity, as equally regardless of the reputation of their Queen and the honour of their country[m].

The nobles combine against her and Bothwell.

These reproaches roused the nobles, who had been hitherto amused by Bothwell's artifices, or intimidated by his power. The manner in which he exercised the authority which he acquired, his repeated attempts to become master of the Prince's person, together with some rash threatenings against him, which he let fall[n], added to the violence and promptitude of their resolutions. A considerable body of them assembled at Stirling, and entered into an association for the defence of the Prince's person. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindsay, Boyd, Murray of Tullibardin,

[m] Anders. vol. i. 128. 134. Melv. 163. See Appendix, No. XXI.

[n] Melv. 161.

Kirkaldy of Grange, and Maitland the Secretary, were the heads of this confederacy°. Stewart Earl of Athol was remarkable for an uniform and bigoted attachment to popery; but his indignation on account of the murder of the King, to whom he was nearly allied, and his zeal for the safety of the Prince, overcame, on this occasion, all considerations of religion, and united him with the most zealous Protestants. Several of the other nobles acted, without question, from a laudable concern for the safety of the Prince and the honour of their country. But the spirit which some of them discovered during the subsequent revolutions leaves little room to doubt, that ambition or resentment were the real motives of their conduct; and that, on many occasions, while they were pursuing ends just and necessary, they were actuated by principles and passions altogether unjustifiable. BOOK IV. 1567.

The first accounts of this league filled the Queen and Bothwell with great consternation. They were no strangers to the sentiments of the nation with respect to their conduct; and though their marriage had not met with public opposition, they knew that it had not been carried on without the secret disgust and murmurings of all ranks of men. They foresaw the violence with which this indignation would burst out, after having been so long suppressed; and, in order to prepare for the storm, Mary issued a proclamation, requiring her subjects to take arms, and to attend her husband by a day May 28.

° Keith, 394.

BOOK IV. 1567.

appointed. At the same time she published a sort of manifesto, in which she laboured to vindicate her government from those imputations with which it had been loaded, and employed the strongest terms to express her concern for the safety and welfare of the Prince her son. Neither of these produced any considerable effect. Her proclamation was ill obeyed, and her manifesto met with little credit[p].

The Queen and Bothwell retire to Dunbar.

The confederate Lords carried on their preparations with no less activity, and with much more success. Among a warlike people, men of so much power and popularity found it an easy matter to raise an army. They were ready to march before the Queen and Bothwell were in a condition to resist them. The castle of Edinburgh was the place whither the Queen ought naturally to have retired, and there her person might have been perfectly safe. But the confederates had fallen on means to shake or corrupt the fidelity of Sir James Balfour, the deputy governor, and Bothwell durst not commit to

June 6.

him such an important trust. He conducted the Queen to the castle of Borthwick; and on the appearance of Lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the Queen disguised in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town against them. They entered without opposition,

[p] Keith, 387. 395, 396.

and were instantly joined by many of the citizens, whose zeal became the firmest support of their cause[q]. BOOK IV. 1567.

In order to set their own conduct in the most favourable light, and to rouse the public indignation against Bothwell, the nobles published a declaration of the motives which had induced them to take arms. All Bothwell's past crimes were enumerated, all his wicked intentions displayed and aggravated, and every true Scotchman was called upon to join them in avenging the one and preventing the other[r].

Meanwhile Bothwell assembled his forces at Dunbar; and as he had many dependants in that corner, he soon gathered such strength, that he ventured to advance towards the confederates. Their troops were not numerous; the suddenness and secrecy of their enterprise gave their friends at a distance no time to join them; and, as it does not appear that they were supported either with money or fed with hopes by the Queen of England, they could not have kept long in a body. But, on the other hand, Bothwell durst not risk a delay[s]. His army followed him with reluctance in this quarrel, and served him with no cordial affection; so that his only hope of success was in surprising the enemy, or in striking the blow before his own troops had leisure to recollect themselves, or to imbibe the same unfavourable opinion of his actions which had spread over the rest of the nation. These motives determined the Queen to march forward with an inconsiderate and fatal speed.

[q] Keith, 398. [r] Anders. vol. i. 128. [s] Keith, 401.

BOOK IV. 1567.

On the first intelligence of her approach, the confederates advanced to meet her. They found her forces drawn up almost on the same ground which the English had occupied before the battle of Pinkie. The numbers on both sides were nearly equal; but there was no equality in point of discipline. The Queen's army consisted chiefly of a multitude, hastily assembled, without courage or experience in war. The troops of the confederates were composed of gentlemen of rank and reputation, followed by their most trusty dependants, who were no less brave than zealous[t].

The nobles march against them. July 15.

An accommodation attempted.

Le Croc, the French ambassador, who was in the field, laboured, by negotiating both with the Queen and the nobles, to put an end to the quarrel without the effusion of blood. He represented to the confederates the Queen's inclinations towards peace, and her willingness to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not against the Queen, but against the murderer of her husband; and if he were given up to justice, or banished from her presence, she should find them ready to yield the obedience which is due from subjects to their sovereign. Glencairn added, that they did not come to ask pardon for any offence, but to punish those who had offended. Such haughty answers convinced the ambassador that his mediation would be ineffectual, and that their passions were too high to allow them to listen to any pacific propositions, or to think of retreating after having proceeded so far[u].

[t] Cald. vol. ii. 48, 49.

[u] Keith, 401.

The Queen's army was posted to advantage on a rising ground. The confederates advanced to the attack resolutely, but slowly, and with the caution which was natural on that unhappy field. Her troops were alarmed at their approach, and discovered no inclination to fight. Mary endeavoured to animate them; she wept, she threatened, she reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest stood wavering and irresolute, and some began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in single combat with any of his adversaries. Kirkaldy of Grange, Murray of Tullibardin, and Lord Lindsay, contended for the honour of entering the lists against him. But this challenge proved to be a mere bravado. Either the consciousness of guilt deprived Bothwell of his wonted courage, or the Queen, by her authority, forbad the combat[x]. 1567.

After the symptoms of fear discovered by her followers, Mary would have been inexcusable had she hazarded a battle. To have retreated in the face of an enemy who had already surrounded the hill on which she stood with part of their cavalry, was utterly impracticable. In this situation, she was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the consent

[x] Cald. vol. ii. 50.

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and in the name of the leaders of the party, promised that, on condition she would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their sovereign[y].

Bothwell obliged to fly.

During this parley, Bothwell took his last farewell of the Queen, and rode off the field with a few followers. This dismal reverse happened exactly one month after that marriage which had cost him so many crimes to accomplish, and which leaves so foul a stain on Mary's memory.

Mary surrenders to the nobles.

As soon as Bothwell retired, Mary surrendered to Kirkaldy, who conducted her toward the confederate army, the leaders of which received her with much respect; and Morton, in their name, made ample professions of their future loyalty and obedience[z]. But she was treated by the common soldiers with the utmost insolence and indignity. As she marched along, they poured upon her all the opprobrious names which are betowed only on the lowest and most infamous criminals. Wherever she turned her eyes, they held up before her a standard, on which was painted the dead body of the late King, stretched on the ground, and the young Prince kneeling before it, and uttering these words, "Judge and revenge my cause, O Lord!" Mary turned with horror from such a shocking sight. She began already to feel the wretched condition to which a captive Prince is reduced. She uttered the most bitter complaints, she melted into tears, and could hardly be kept from sinking to the ground. The

[y] Good. vol. ii. 164. Melv. 165. [z] Good. vol. ii. 165.

confederates conducted her towards Edinburgh; and, in spite of many delays, and after looking, with the fondness and credulity natural to the unfortunate, for some extraordinary relief, she arrived there. The streets were covered with multitudes, whom zeal or curiosity had drawn together, to behold such an unusual scene. The Queen, worn out with fatigue, covered with dust, and bedewed with tears, was exposed as a spectacle to her own subjects, and led to the provost's house. Notwithstanding all her arguments and entreaties, the same standard was carried before her, and the same insults and reproaches repeated [a]. A woman, young, beautiful, and in distress, is naturally the object of compassion. The comparison of their present misery with their former splendour, usually softens us in favour of illustrious sufferers. But the people beheld the deplorable situation of their sovereign with insensibility; and so strong was their persuasion of her guilt, and so great the violence of their indignation, that the sufferings of their Queen did not, in any degree, mitigate their resentment, or procure her that sympathy which is seldom denied to unfortunate Princes.

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[a] Melv. 166. Buch. 364.

THE

HISTORY

OF

SCOTLAND.

BOOK V.

BOOK V.

THE confederate Lords had proceeded to such extremities against their Sovereign, that it now became almost impossible for them either to stop short, or to pursue a course less violent. Many of the nobles had refused to concur with them in their enterprise; others openly condemned it. A small circumstance might abate that indignation with which the multitude were at present animated against the Queen, and deprive them of that popular applause which was the chief foundation of their power. These considerations inclined some of them to treat the Queen with great lenity.

1567. Deliberations of the nobles concerning the Queen.

But, on the other hand, Mary's affection for Bothwell continued as violent as ever; she obstinately refused to hearken to any proposal for dissolving their marriage, and determined not to abandon a man, for whose love she had already sacrificed so much[a]. If they should allow her to recover the su-

[a] Keith, 419. 446. 449. Melv. 167. See Append. No. XXII.

preme power, the first exertion of it would be to re- BOOK V.
call Bothwell; and they had reason, both from his resentment, from her conduct, and from their own, to expect the severest effects of her vengeance. These considerations surmounted every other motive; and, reckoning themselves absolved by Mary's incurable attachment to Bothwell, from the engagements which they had come under when she yielded herself a prisoner, they, without regarding the duty which they owed her as their Queen, and without consulting the rest of the nobles, carried her next evening, under a strong guard, to the castle of Lochlevin, and signed a warrant to William Douglas, the owner of it, to detain her as a prisoner. This castle is situated in a small island in the middle of a lake. Douglas, to whom it belonged, was a near relation of Morton's, and had married the Earl of Murray's mother. In this place, under strict custody, with a few attendants, and subjected to the insults of a haughty woman, who boasted daily of being the lawful wife of James V., Mary suffered all the rigour and miseries of captivity[b]. 1567. They imprison her in Lochlevin.

Immediately after the Queen's imprisonment the confederates were at the utmost pains to strengthen their party; they entered into new bonds of association; they assumed the title of *Lords of the secret Council*, and without any other right arrogated to themselves the whole regal authority. One of their first acts of power was to search the city of Edinburgh for such as had been concerned in the murder of the King. This show of zeal gained re-

[b] Keith, 403. Note (*b*).

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putation to themselves, and threw an oblique reflection on the Queen for her remissness. Several suspected persons were seized. Captain Blackadder and three others were condemned and executed. But no discovery of importance was made. If we believe some historians, they were convicted by sufficient evidence. If we give credit to others, their sentence was unjust, and they denied, with their last breath, any knowledge of the crime for which they suffered[c].

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fullest evidence of her guilt. Bothwell having left in the castle of Edinburgh a casket containing several sonnets and letters written with the Queen's own hand, he now sent one of his confidents to bring to him this precious deposite. But as his messenger returned, he was intercepted, and the casket seized by Morton[d]. The contents of it were always produced by the party as the most ample justification of their own conduct; and to these they continually appealed as the most unanswerable proof of their not having loaded their sovereign with the imputation of imaginary crimes[e].

Some of the nobles favour the Queen.

But the confederates, notwithstanding their extraordinary success, were still far from being perfectly at ease. That so small a part of the nobles should pretend to dispose of the person of their sovereign, or to assume the authority which belonged to her, without the concurrence of the rest, was

[c] Cald. vol. ii. 53. Crawf. Mem. 35.
[d] Anders. vol. ii. 92. Good. vol. ii. 90.
[e] See Dissertation at the end of the History.

deemed by many of that body to be unprecedented and presumptuous. Several of these were now assembled at Hamilton, in order to deliberate what course they should hold in this difficult conjuncture. The confederates made some attempts towards a coalition with them, but without effect. They employed the mediation of the assembly of the church, to draw them to a personal interview at Edinburgh, but with no better success. That party, however, though its numbers were formidable, and the power of its leaders great, soon lost reputation by the want of unanimity and vigour; all its consultations evaporated in murmurs and complaints, and no scheme was concerted for obstructing the progress of the confederates[f].

1567.

There appeared some prospect of danger from another quarter. This great revolution in Scotland had been carried on without any aid from Elizabeth, and even without her knowledge[g]. Though she was far from being displeased at seeing the affairs of that kingdom embroiled, or a rival whom she hated reduced to distress; she neither wished that it should be in the power of the one faction entirely to suppress the other, nor could she view the steps taken by the confederates without great offence. Notwithstanding the popular maxims by which she governed her own subjects, her notions of royal prerogative were very exalted. The confederates had, in her opinion, encroached on the authority of their sovereign, which they had no right to controul, and had offered violence to her person, which it was their

Elizabeth interposes in her behalf.

[f] Keith, 407.

[g] Id. 415.

BOOK V. 1567. duty to esteem sacred. They had set a dangerous example to other subjects, and Mary's cause became the common cause of Princes[h]. If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by considerations of interest, it was on this occasion. Mary, in her present condition, degraded from her throne, and covered with the infamy attending an accusation of such atrocious crimes, could be no longer the object of Elizabeth's jealousy, either as a woman or as a Queen. Sympathy with a sovereign in distress seems, for a moment, to have touched a heart not very susceptible of tender sentiments; and, June 30. while these were yet warm, she dispatched Throkmorton into Scotland, with power to negotiate both with the Queen and with the confederates. In his instructions there appears a remarkable solicitude for Mary's liberty, and even for her reputation; and the terms upon which she proposed to re-establish concord between the Queen and her subjects, appear to be so reasonable and well-digested, as might have ensured the safety and happiness of both. Zealous as Throkmorton was to accomplish this, all his endeavours and address proved ineffectual. He found not only the confederate nobles, but the nation in general, so far alienated from the Queen, and so much offended with the indecent precipitancy of her marriage with the reputed murderer of her former husband, as to be incapable of listening to any proposition in her favour.

During the state of anarchy occasioned by the

[h] Keith, 412. 415.

imprisonment of the Queen, and the dissolution of the established government, which afforded such ample scope for political speculation, four different schemes had been proposed for the settlement of the nation. One, that Mary should be replaced upon the throne, but under various and strict limitations. The second, that she should resign the crown to her son, and, retiring out of the kingdom, should reside, during the remainder of her days, either in England or in France. The third, that Mary should be brought to public trial for her crimes, and, after conviction, of which no doubt was entertained, should be kept in perpetual imprisonment. The fourth, that after trial and condemnation, capital punishment should be inflicted upon her. Throkmorton, though disposed, as well by his own inclination as in conformity to the spirit of his instructions, to view matters in the light most favourable to Mary, informed his court, that the milder schemes, recommended by Maitland alone, would undoubtedly be reprobated, and one of the more rigorous carried into execution. 1567.

In justification of this rigour, the confederates maintained that Mary's affection for Bothwell was still unabated, and openly avowed by her; that she rejected with disdain every proposal for dissolving their marriage; and declared, that she would forego every comfort, and endure any extremity, rather than give her consent to that measure. While these were her sentiments, they contended, that concern for the public welfare, as well as attention to their own safety, rendered it necessary to put it out of the Queen's power to restore a daring man, exasperated

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by recent injuries, to his former station, which must needs prove fatal to both. Notwithstanding their solicitude to conciliate the good-will of Elizabeth, they foresaw clearly what would be the effect, at this juncture, of Throkmorton's interposition in behalf of the Queen, and that she, elated with the prospect of protection, would refuse to listen to the overtures which they were about to make to her. For this reason they peremptorily denied Throkmorton's access to their prisoner; and what propositions he made to them in her behalf they either refused or eluded[i].

Schemes of the confederate nobles.

Meanwhile they deliberated with the utmost anxiety concerning the settlement of the nation, and the future disposal of the Queen's person. Elizabeth observing that Throkmorton made no progress in his negotiations with them, and that they would listen to none of his demands in Mary's favour, turned towards that party of the nobles who were assembled at Hamilton, incited them to take arms in order to restore their Queen to liberty, and promised to assist them in such an attempt to the utmost of her power[k]. But they discovered no greater union and vigour than formerly, and, behaving like men who had given up all concern either for their Queen or their country, tamely allowed an inconsiderable part of their body, whether we consider it with respect to numbers or to power, to settle the government of the kingdom, and to dispose of the Queen's person at pleasure. Many consultations were held, and various opinions arose with

[i] Keith, 417. 427.

[k] See Append. No. XXIII.

regard to each of these. Some seemed desirous of adhering to the plan on which the confederacy was at first formed; and after punishing the murderers of the King, and dissolving the marriage with Bothwell; after providing for the safety of the young Prince, and the security of the Protestant religion; they proposed to re-establish the Queen in the possession of her legal authority. The success with which their arms had been accompanied, inspired others with bolder and more desperate thoughts, and nothing less would satisfy them than the trial, the condemnation, and punishment of the Queen herself, as the principal conspirator against the life of her husband and the safety of her son[l]: the former was Maitland's system, and breathed too much of a pacific and moderate spirit, to be agreeable to the temper or wishes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durst not, or would not, venture on such an unprecedented and audacious deed[m]. BOOK V. 1567.

Both parties agreed at last upon a scheme, neither so moderate as the one, nor so daring as the other. Mary was to be persuaded or forced to resign the crown; the young Prince was to be proclaimed King, and the Earl of Murray was to be appointed to govern the kingdom, during his minority, with the name and authority of Regent. With regard

They oblige the Queen to resign the government.

[l] Keith, 420, 421, 422. 582.

[m] The intention of putting the Queen to death seems to have been carried on by some of her subjects: at this time we often find Elizabeth boasting that Mary owed her life to her interposition. Digges's Compl. Amb. 14, &c. See Append. No. XVIII.

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to the Queen's own person, nothing was determined. It seems to have been the intention of the confederates to keep her in perpetual imprisonment; but, in order to intimidate herself, and to overawe her partisans, they still reserved to themselves the power of proceeding to more violent extremes.

It was obvious to foresee difficulties in the execution of this plan. Mary was young, ambitious, high spirited, and accustomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which she was born to enjoy, to become dependent on her own subjects, to consent to her own bondage, and to invest those persons whom she considered as the authors of all her calamities, with that honour and authority of which she herself was stripped, were points hard to be gained. These, however, the confederates attempted, and they did not want means to ensure success. Mary had endured, for several weeks, all the hardships and terror of a prison; no prospect of liberty appeared; none of her subjects had either taken arms, or so much as solicited her relief[n]; no person, in whom she could confide, was admitted into her presence; even the ambassadors of the French King, and Queen of England, were refused access to her. In this solitary state, without a counsellor, or a friend, under the pressure of distress and the apprehension of danger, it was natural for a woman to hearken almost to any overtures. The confederates took advantage of her condition and of her fears. They employed Lord Lindsay, the

[n] Keith, 425.

fiercest zealot in the party, to communicate their scheme to the Queen, and to obtain her subscription to those papers which were necessary for rendering it effectual. He executed his commission with harshness and brutality. Certain death was before Mary's eyes if she refused to comply with his demands. At the same time she was informed by Sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the persons among the confederates who were most attentive to her interest, that a resignation extorted by fear, and granted during her imprisonment, was void in law, and might be revoked as soon as she recovered liberty. Throkmorton, by a note which he found means of conveying to her, suggested the same thing[o]. Deference to their opinion, as well as concern for her own safety, obliged her to yield to every thing which was required, and to sign all the papers which Lindsay presented to her. By one of these she resigned the crown, renounced all share in the government of the kingdom, and consented to the coronation of the young King. By another, she appointed the Earl of Murray Regent, and conferred upon him all the powers and privileges of that high office. By a third, she substituted some other nobleman in Murray's place, if he should refuse the honour which was designed for him. Mary, when she subscribed these deeds, was bathed in tears; and while she gave away, as it were with her own hands, the sceptre which she had swayed so long, she felt a pang of grief and indignation,

1567.

July 24.

[o] Keith, 425. Note (*b*). Melv. 169.

BOOK V. one of the severest, perhaps, which can touch the human heart[p].

1567. James VI. crowned, and Murray chosen Regent.

The confederates endeavoured to give this resignation all the weight and validity in their power, by proceeding without delay to crown the young Prince. The ceremony was performed at Stirling, on the twenty-ninth of July, with much solemnity, in presence of all the nobles of the party, a considerable number of lesser barons, and a great assembly of the people. From that time, all public writs were issued, and the government carried on, in the name of James VI.[q]

No revolution so great was ever effected with more ease, or by means so unequal to the end. In a warlike age, and in less time than two months, a part of the nobles, who neither possessed the chief power, nor the greatest wealth in the nation, and who never brought three thousand men into the field, seized, imprisoned, and dethroned their Queen, and, without shedding a single drop of blood, set her son, an infant of a year old, on the throne.

Reasonings of both parties.

During this rapid progress of the confederates, the eyes of all the nation were turned on them with astonishment; and various and contradictory opinions were formed concerning the extraordinary steps which they had taken.

Even under the aristocratical form of government which prevails in Scotland, said the favourers of the Queen, and notwithstanding the exorbitant privileges of the nobles, the Prince possesses considerable power, and his person is treated with great

[p] Keith, 430. Crawf. Mem. 38. [q] Keith, 437.

veneration. No encroachments should be made on the former, and no injury offered to the latter, but in cases where the liberty and happiness of the nation cannot be secured by any other means. Such cases seldom exist, and it belongs not to any part, but to the whole, or at least to a majority of the society, to judge of their existence. By what action could it be pretended that Mary had invaded the rights or property of her subjects, or what scheme had she formed against the liberty and constitution of the kingdom? Were fears, and suspicions, and surmises, enough to justify the imprisoning and the deposing a Queen, to whom the crown descended from so long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct, was now driven from her presence. The murderers of the King might have been brought to condign punishment, the safety of the Prince have been secured, and the Protestant religion have been established, without wresting the sceptre out of her hands, or condemning her to perpetual imprisonment. Whatever right a free parliament might have had to proceed to such a rigorous conclusion, or whatever name its determinations might have merited, a sentence of this nature, passed by a small party of the nobility, without acknowledging or consulting the rest of the nation, must be deemed a rebellion against the government, and a conspiracy against the person of their sovereign.

The partisans of the confederates reasoned very differently. It is evident, said they, that Mary either previously gave consent to the King's murder, or did afterwards approve of that horrid action. Her

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attachment to Bothwell, the power and honours which she has conferred upon him, the manner in which she suffered his trial to be carried on, and the indecent speed with which she married a man stained with so many crimes, raise strong suspicions of the former, and put the latter beyond all doubt. To have suffered the supreme power to continue in the hands of an ambitious man, capable of the most atrocious and desperate actions, would have been disgraceful to the nation, dishonourable to the Queen, and dangerous to the Prince. Recourse was therefore had to arms. The Queen had been compelled to abandon a husband so unworthy of herself. But her affection toward him still continuing unabated; her indignation against the authors of this separation being visible, and often expressed in the strongest terms; they, by restoring her to her ancient authority, would have armed her with power to destroy themselves, have enabled her to recall Bothwell, and have afforded her an opportunity of pursuing schemes fatal to the nation with greater eagerness, and with more success. Nothing therefore remained, but by one bold action to deliver themselves and their country from all future fears. The expedient they had chosen was no less respectful to the royal blood, than necessary for the public safety. While one prince was set aside as incapable of governing, the crown was placed on his head who was the undoubted representative of their ancient Kings.

Whatever opinion posterity may form on comparing the arguments of the two contending parties, whatever sentiments we may entertain concerning

the justice or necessity of that course which the confederates held, it cannot be denied that their conduct, so far as regarded themselves, was extremely prudent. Other expedients, less rigorous towards Mary, might have been found for settling the nation; but, after the injuries which they had already offered the Queen, there was none so effectual for securing their own safety, or perpetuating their own power. 1567.

To a great part of the nation, the conduct of the confederates appeared not only wise, but just. The King's accession to the throne was every where proclaimed, and his authority submitted to without opposition. Though several of the nobles were still assembled at Hamilton, and seemed to be entering into some combination against his government, an association for supporting it was formed, and signed by so many persons of power and influence throughout the nation, as entirely discouraged the attempt[r].

Murray assumes the government.

The return of the Earl of Murray, about this time, added strength to the party, and gave it a regular and finished form. Soon after the murder of the King, this nobleman had retired into France, upon what pretence historians do not mention. During his residence there, he had held a close correspondence with the chiefs of the confederacy, and, at their desire, he now returned. He seemed, at first, unwilling to accept the office of Regent. This hesitation cannot be ascribed to the scruples either

[r] Anders. vol. ii. 231.

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of diffidence or of duty. Murray wanted neither the abilities nor the ambition which might incite him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but, by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act; to balance the strength and resources of the two contending factions; and to examine whether the foundation on which his future fame and success must rest, were sound and firm.

Before he declared his final resolution, he waited on Mary at Lochlevin. This visit, to a sister, and a Queen, in a prison, from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner[s], expostulated so warmly with the Queen concerning her past conduct, and charged her faults so home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely to despair[t]. This interview, from which Murray could reap no political advantage, and wherein he discovered a spirit so severe and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

[s] Keith, 96.

[t] Ibid. 445, 446.

Soon after his return from Lochlevin, Murray accepted the office of Regent, and began to act in that character without opposition. BOOK V. 1567.

Amidst so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his flight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunbar. But finding it impossible for him to make head, in that country, against his enemies, or even to secure himself from their pursuit, he fled for shelter to his kinsman the Bishop of Murray; and when he, overawed by the confederates, was obliged to abandon him, he retired to the Orkney Isles. Hunted from place to place, deserted by his friends, and accompanied by a few retainers as desperate as himself, he suffered at once the miseries of infamy and of want. His indigence forced him upon a course which added to his infamy. He armed a few small ships, which had accompanied him from Dunbar, and, attacking every vessel which fell in his way, endeavoured to procure subsistence for himself and his followers by piracy. Kirkaldy and Murray of Tullibardin were sent out against him by the confederates; and, surprising him while he rode at anchor, scattered his small fleet, took a part of it, and obliged him to fly with a single ship towards Norway. On that coast he fell in with a vessel richly laden, and immediately attacked it; the Norwegians sailed with armed boats to its assistance, and, after a desperate fight, Bothwell and all his crew were taken prisoners. His name and quality were both unknown, and he was treated at first with all the indignity and rigour which the

Aug. 22. Fate of Bothwell.

BOOK V. 1567.

odious crime of piracy merited. His real character was soon discovered; and though it saved him from the infamous death to which his associates were condemned, it could neither procure him liberty, nor mitigate the hardships of his imprisonment. He languished ten years in this unhappy condition; melancholy and despair deprived him of reason, and at last he ended his days unpitied by his countrymen, and unassisted by strangers[u]. Few men ever accomplished their ambitious projects by worse means, or reaped from them less satisfaction. The early part of his life was restless and enterprising, full of danger and of vicissitudes. His enjoyment of the grandeur, to which he attained by so many crimes, was extremely short; imbittered by much anxiety, and disquieted by many fears. In his latter years, he suffered the most intolerable calamities to which the wretched are subject, and from which persons who have moved in so high a sphere are commonly exempted.

Success of the Regent's administration.

The good effects of Murray's accession to the regency were quickly felt. The party forming for the Queen was weak, irresolute and disunited; and no sooner was the government of the kingdom in the hands of a man so remarkable both for his abilities and popularity, than the nobles, of whom it was composed, lost all hopes of gaining ground, and began to treat separately with the Regent. So many of them were brought to acknowledge the King's authority, that scarce any appearance of opposition to the established government was left in

[u] Melv. 168.

the kingdom. Had they adhered to the Queen with any firmness, it is probable, from Elizabeth's disposition at that time, that she would have afforded them such assistance as might have enabled them to face their enemies in the field. But there appeared so little vigour or harmony in their councils, that she was discouraged from espousing their cause; and the Regent, taking advantage of their situation, obliged them to submit to his government, without granting any terms either to themselves or to the Queen[x]. 1567.

The Regent was no less successful in his attempt to get into his hands the places of strength in the kingdom. Balfour, the deputy-governor, surrendered the castle of Edinburgh; and as the reward of his treachery, in deserting Bothwell his patron, obtained terms of great advantage to himself. The governor of Dunbar, who discovered greater fidelity, was soon forced to capitulate: some other small forts surrendered without resistance.

A parliament. Decem. 15.

This face of tranquillity in the nation encouraged the Regent to call a meeting of parliament. Nothing was wanting to confirm the King's authority, and the proceedings of the confederates, except the approbation of this supreme court; and after the success which had attended all their measures, there could be little doubt of obtaining it. The numbers that resorted to an assembly which was called to deliberate on matters of so much importance, were great. The meeting was opened with the utmost solemnity, and all its acts passed with much una-

[x] Keith, 447. 450. 463.

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nimity. Many, however, of the lords who had discovered the warmest attachment to the Queen, were present. But they had made their peace with the Regent. Argyll, Huntly, and Herries, acknowledged, openly in parliament, that their behaviour towards the King had been undutiful and criminal[y]. Their compliance, in this manner, with the measures of the Regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the sincerity of their reconcilement.

Confirms the proceedings of the confederates.

The Parliament granted every thing the confederates could demand, either for the safety of their own persons, or the security of that form of government which they had established in the kingdom. Mary's resignation of the crown was accepted, and declared to be valid. The King's authority, and Murray's election, were recognised and confirmed. The imprisoning the Queen, and all the other proceedings of the confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and she was declared to be accessary to the murder of the King[z]. At the same time, all the acts of parliament of the year one thousand five hundred and sixty, in favour of the Protestant religion, were publicly ratified; new statutes to the same purpose were enacted; and nothing that could contribute to root out the remains of Popery, or to encourage the growth of the Reformation, was neglected.

It is observable, however, that the same parsi-

[y] Anders. vol. iv. 153. See Appendix, No. XXIV.

[z] Good. vol. ii. 66. Anders. vol. ii. 206.

monious spirit prevailed in this parliament, as in that of the year one thousand five hundred and sixty. The Protestant clergy, notwithstanding many discouragements, and their extreme poverty, had for seven years performed all religious offices in the kingdom. The expedients fallen upon for their subsistence had hitherto proved ineffectual, or were intended to be so. But, notwithstanding their known indigence, and the warm remonstrances of the assembly of the church, which met this year, the Parliament did nothing more for their relief than prescribe some new regulations concerning the payment of the thirds of benefices, which did not produce any considerable change in the situation of the clergy. BOOK V. 1567.

A few days after the dissolution of parliament, four of Bothwell's dependants were convicted of being guilty of the King's murder, and suffered death as traitors. Their confessions brought to light many circumstances relative to the manner of committing that barbarous crime; but they were persons of low rank, and seem not to have been admitted into the secrets of the conspiracy[a]. 1568. January 3.

Notwithstanding the universal submission to the Regent's authority, there still abounded in the kingdom many secret murmurs and cabals. The partisans of the house of Hamilton reckoned Mur- promotion an injury to the Duke of Chatel- lt, who, as first Prince of the blood, had, in opinion, an undoubted right to be Regent. ength and rigour of Mary's sufferings began

[a] Anders. vol. ii. 165.

BOOK V. 1568.

to move many to commiserate her case. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities were great, did not possess the talents requisite for soothing the rage or removing the jealousies of the different factions. By insinuation, or address, he might have gained or softened many who had opposed him; but he was a stranger to these gentle arts. His virtues were severe; and his deportment towards his equals, especially after his elevation to the regency, distant and haughty. This behaviour offended some of the nobles, and alarmed others. The Queen's faction, which had been so easily dispersed, began again to gather and to unite, and was secretly favoured by some who had hitherto zealously concurred with the confederates[b].

Mary escapes from Loch-levin.

Such was the favourable disposition of the nation towards the Queen, when she recovered her liberty, in a manner no less surprising to her friends than unexpected by her enemies. Several attempts had been made to procure her an opportunity of escaping, which some unforeseen accident, or the vigilance of her keepers, had hitherto disappointed. At last, Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and insinuating, she treated him with the most flattering distinction: she even allowed him to entertain the most ambitious hopes, by letting fall some expressions, as if she would choose him for her husband[c]. At his age, and in such circumstances, it was im-

[b] Melv. 179.

[c] Keith, 469. 481. Note.

possible to resist such a temptation. He yielded, and drew others into the plot. On Sunday the second of May, while his brother sat at supper, and the rest of the family were retired to their devotions, one of his accomplices found means to steal the keys out of his brother's chamber, and, opening the gates to the Queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and, on reaching the shore, was received with the utmost joy by Douglas, Lord Seaton, and Sir James Hamilton, who with a few attendants waited for her. She instantly mounted on horseback, and rode full speed towards Niddrie, Lord Seaton's seat in West-Lothian. She arrived there that night, without being pursued or interrupted. After halting three hours, she set out for Hamilton; and travelling at the same pace she reached it next morning. BOOK V. 1568.

On the first news of Mary's escape, her friends, whom, in their present disposition, a much smaller accident would have roused, ran to arms. In a few days, her court was filled with a great and splendid train of nobles, accompanied by such numbers of followers as formed an army above six thousand strong. In their presence she declared that the resignation of the crown, and the other deeds which she had signed during her imprisonment, were extorted from her by fear. Sir Robert Melvil confirmed her declaration; and on that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all these transactions void and illegal. At the same time, an association Arrives at Hamilton, and raises a numerous army. May 8.

BOOK V. 1568.

was formed for the defence of her person and authority, and subscribed by nine earls, nine bishops, eighteen lords, and many gentlemen of distinction[d]. Among them we find several who had been present in the last parliament, and who had signed the counter-association in defence of the King's government: but such sudden changes were then so common, as to be no matter of reproach.

Consternation of the Regent's adherents.

At the time when the Queen made her escape, the Regent was at Glasgow, holding a court of justice. An event so contrary to their expectations, and so fatal to their schemes, gave a great shock to his adherents. Many of them appeared wavering and irresolute; others began to carry on private negotiations with the Queen; and some openly revolted to her side. In so difficult a juncture, where his own fame, and the being of the party, depended on his choice, the Regent's most faithful accociates were divided in opinion. Some advised him to retire, without loss of time, to Stirling. The Queen's army was already strong, and only eight miles distant; the adjacent country was full of the friends and dependants of the house of Hamilton, and other lords of the Queen's faction; Glasgow was a large and unfortified town; his own train consisted of no greater number than was usual in times of peace; all these reasons pleaded for a retreat. But, on the other hand, arguments were urged of no inconsiderable weight. The citizens of Glasgow were well affected to the cause; the vassals of Glencairn, Lennox, and Semple, lay near at hand, and were

[d] Keith, 475.

both numerous and full of zeal; succours might arrive from other parts of the kingdom in a few days; in war, success depends upon reputation, as much as upon numbers; reputation is gained, or lost, by the first step one takes: on all these considerations, a retreat would be attended with all the ignominy of a flight, and would at once dispirit his friends, and inspire his enemies with boldness. In such dangerous exigencies as this, the superiority of Murray's genius appeared, and enabled him both to choose with wisdom and to act with vigour. He declared against retreating, and fixed his head-quarters at Glasgow. And while he amused the Queen for some days, by pretending to hearken to some overtures which she made for accommodating their differences, he was employed, with the utmost industry, in drawing together his adherents from different parts of the kingdom. He was soon in a condition to take the field; and, though far inferior to the enemy in number, he confided so much in the valour of his troops and the experience of his officers, that he broke off the negotiation, and determined to hazard a battle[e].

1568. His prudent conduct.

At the same time, the Queen's generals had commanded her army to move. Their intention was, to conduct her to Dumbarton-castle, a place of great strength, which the Regent had not been able to wrest out of the hands of Lord Fleming the governor; but if the enemy should endeavour to interrupt their march, they resolved not to decline an engagement. In Mary's situation, no resolution

May 13.

[e] Buchan. 369.

BOOK V. 1568.

could be more imprudent. A part only of her forces was assembled. Huntly, Ogilvie, and the northern clans, were soon expected; her sufferings had removed or diminished the prejudices of many among her subjects; the address with which she surmounted the dangers that obstructed her escape, dazzled and interested the people; the sudden confluence of so many nobles added lustre to her cause; she might assuredly depend on the friendship and countenance of France; she had reason to expect the protection of England; her enemies could not possibly look for support from that quarter. She had much to hope from pursuing slow and cautious measures; they had every thing to fear.

But Mary, whose hopes were naturally sanguine, and her passions impetuous, was so elevated by her sudden transition from the depth of distress, to such an unusual appearance of prosperity, that she never doubted of success. Her army, which was almost double to the enemy in number, consisted chiefly of the Hamiltons and their dependants. Of these the Archbishop of St. Andrew's had the chief direction, and hoped, by a victory, not only to crush Murray, the ancient enemy of his house, but to get the person of the Queen into his hands, and to oblige her either to marry one of the Duke's sons, or at least to commit the chief direction of her affairs to himself. His ambition proved fatal to the Queen, to himself, and to his family[f].

Battle of Langside.

Mary's imprudence in resolving to fight, was not greater than the ill conduct of her generals in the

[f] Anders. vol. iv. 32. Melv. 181.

battle. Between the two armies, and on the road towards Dumbarton, there was an eminence called Langside Hill. This the Regent had the precaution to seize, and posted his troops in a small village, and among some gardens and inclosures adjacent. In this advantageous situation he waited the approach of the enemy, whose superiority in cavalry could be of no benefit to them on such broken ground. The Hamiltons, who composed the vanguard, ran so eagerly to the attack, that they put themselves out of breath, and left the main battle far behind. The encounter of the spearmen was fierce and desperate; but as the forces of the Hamiltons were exposed, on the one flank, to a continued fire from a body of musqueteers, attacked on the other by the Regent's most choice troops, and not supported by the rest of the Queen's army, they were soon obliged to give ground, and the rout immediately became universal. Few victories in a civil war, and among a fierce people, have been pursued with less violence, or attended with less bloodshed. Three hundred fell in the field: in the flight almost none were killed. The Regent and his principal officers rode about, beseeching the soldiers to spare their countrymen. The number of prisoners was great, and among them many persons of distinction. The Regent marched back to Glasgow, and returned public thanks to God for this great, and, on his side, almost bloodless victory[s].

BOOK V. 1568.

The Queen's army defeated.

During the engagement, Mary stood on a hill at Her flight

[s] Keith, 477.

BOOK V. 1568.

no great distance, and beheld all that passed in the field, with such emotions of mind as are not easily described. When she saw the army, which was her last hope, thrown into irretrievable confusion, her spirit, which all her past misfortunes had not been able entirely to subdue, sunk altogether. In the utmost consternation, she began her flight; and so lively were her impressions of fear, that she never closed her eyes till she reached the abbey of Dundrenan in Galloway, full sixty Scottish miles from the place of battle[h].

These revolutions in Mary's fortune had been no less rapid than singular. In the short space of eleven days she had been a prisoner at the mercy of her most inveterate enemies; she had seen a powerful army under her command, and a numerous train of nobles at her devotion: and now she was obliged to fly, in the utmost danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. Not thinking herself safe even in that retreat, her fears impelled her to an action, the most unadvised, as well as the most unfortunate, in her whole life. This was her retiring into England; a step, which, on many accounts, ought to have appeared to her rash and dangerous.

Resolves on retiring into England.

Before Mary's arrival in Scotland, mutual distrust and jealousies had arisen between her and Elizabeth. All their subsequent transactions had contributed to exasperate and inflame these passions. She had endeavoured, by secret negotiations and intrigues, to disturb the tranquillity of

[h] Keith, 481.

Elizabeth's government, and to advance her own pretensions to the English crown. Elizabeth, who possessed great power, and acted with less reserve, had openly supported Mary's rebellious subjects, and fomented all the dissentions and troubles in which her reign had been involved. The maxims of policy still authorized that Queen to pursue the same course; as, by keeping Scotland in confusion, she effectually secured the peace of her own kingdom. The Regent, after his victory, had marched to Edinburgh, and, not knowing what course the Queen had taken, it was several days before he thought of pursuing her[1]. She might have been concealed in that retired corner, among subjects devoted to her interest, until her party, which was dispersed rather than broken by the late defeat, should gather such strength that she could again appear with safety at their head. There was not any danger which she ought not to have run, rather than throw herself into the hands of an enemy, from whom she had already suffered so many injuries, and who was prompted, both by inclination and by interest, to renew them.

But, on the other hand, during Mary's confinement, Elizabeth had declared against the proceedings of her subjects, and solicited for her liberty, with a warmth which had all the appearance of sincerity. She had invited her to take refuge in England, and had promised to meet her in person, and to give her such a reception as was due to a Queen, a kinswo-

[1] Crawf. Mem. 59.

BOOK V. 1568.

man, and an ally[k]. Whatever apprehension Elizabeth might entertain of Mary's designs while she had power in her hands, she was at present the object, not of fear, but of pity; and to take advantage of her situation, would be both ungenerous and inhuman. The horrors of a prison were fresh in Mary's memory; and if she should fall a second time into the hands of her subjects, there was no injury to which the presumption of success might not embolden them to proceed. To attempt escaping into France, was dangerous, and, in her situation, almost impossible; nor could she bear the thoughts of appearing as an exile and a fugitive in that kingdom where she had once enjoyed all the splendour of a Queen. England remained her only asylum; and in spite of the entreaties of Lord Herries, Fleming, and her other attendants, who conjured her, even on their knees, not to confide in Elizabeth's promises of generosity, her infatuation was invincible, and she resolved to fly thither. Herries, by her command, wrote to Lowther the deputy-governor of Carlisle, to know what reception he would give her; and, before his answer could return, her fear and impatience was so great, that she got into a fisher-boat, and, with about twenty attendants, landed at Wirkington in Cumberland, and thence she was conducted with many marks of respect to Carlisle[l].

Her reception at Carlisle. May 16.

As soon as Mary arrived in England, she wrote

[k] Camd. 489. Anders. vol. iv. 99. 120. Murdin, 369.

[l] Keith, 483. Anders. vol. iv. 2.

a long letter to the Queen, representing, in the strongest terms, the injuries which she had suffered from her own subjects, and imploring that pity and assistance which her present situation demanded[m]. An event so extraordinary, and the conduct which might be proper in consequence of it, drew the attention and employed the thoughts of Elizabeth and her council. If their deliberations had been influenced by considerations of justice or generosity alone, they would not have found them long or intricate. A Queen, vanquished by her own subjects, and threatened by them with the loss of her liberty, or of her life, had fled from their violence, and thrown herself into the arms of her nearest neighbour and ally, from whom she had received repeated assurances of friendship and protection. These circumstances entitled her to respect and to compassion, and required that she should either be restored to her own kingdom, or at least be left at full liberty to seek aid from any other quarter. But with Elizabeth and her counsellors, the question was not, what was most just or generous, but what was most beneficial to herself, and to the English nation. Three different resolutions might have been taken, with regard to the Queen of Scots. To reinstate her in her throne, was one; to allow her to retire into France, was another; to detain her in England, was a third. Each of these drew consequences after it, of the utmost importance, which were examined, as appears from papers still extant[n],

1568. Elizabeth deliberates concerning the manner of treating her.

[m] Anders. vol. iv. 29.

[n] Id. 34. 99. 102.

BOOK V. 1568.

with that minute accuracy which Elizabeth's ministers employed in all their consultations upon affairs of moment.

To restore Mary to the full exercise of the royal authority in Scotland, they observed, would render her more powerful than ever. The nobles who were most firmly attached to the English interest would quickly feel the utmost weight of her resentment. As the gratitude of Princes is seldom strong or lasting, regard to her own interest might soon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottish nation with France, and revive her own pretensions to the English crown. Nor was it possible to fetter and circumscribe the Scottish Queen, by any conditions that would prevent these dangers. Her party in Scotland was numerous and powerful. Her return, even without any support from England, would inspire her friends with new zeal and courage; a single victory might give them the superiority, which they had lost by a single defeat, and render Mary a more formidable rival than ever to Elizabeth.

The dangers arising from suffering Mary to return into France, were no less obvious. The French King could not refuse his assistance towards restoring his sister and ally to her throne. Elizabeth would, once more, see a foreign army in the island, overawing the Scots, and ready to enter her kingdom; and, if the commotions in France, on account of religion, were settled, the Princes of Lorrain might resume their ambitious projects, and

the united forces of France and Scotland might invade England where it is weakest and most defenceless. BOOK V. 1568.

Nothing therefore remained but to detain her in England; and to permit her either to live at liberty there, or to confine her in a prison. The former was a dangerous experiment. Her court would become a place of resort to all the Roman Catholics, to the disaffected, and to the lovers of innovation. Though Elizabeth affected to represent Mary's pretensions to the English crown as ill-founded, she was not ignorant that they did not appear in that light to the nation, and that many thought them preferable even to her own title. If the activity of her emissaries had gained her so many abettors, her own personal influence was much more to be dreaded: her beauty, her address, her sufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party[o]. Resolves to detain her in England.

It was indeed to be apprehended, that the treating Mary as a prisoner would excite universal indignation against Elizabeth; and that by this unexampled severity towards a Queen, who implored, and to whom she had promised, her protection, she would forfeit the praise of justice and humanity, which was hitherto due to her administration. But the English monarchs were often so solicitous to secure their kingdom against the Scots, as to be little scrupulous about the means which they employed for that purpose. Henry IV. had seized the heir of the crown of Scotland, who was forced by

[o] Anders. vol. iv. 56. 60.

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the violence of a storm to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hospitality, without regarding his tender age, or the tears and entreaties of his father, detained him a prisoner for many years. This action, though detested by posterity, Elizabeth resolved now to imitate. Her virtue was not more proof than that of Henry had been, against the temptations of interest; and the possession of a present advantage was preferred to the prospect of future fame. The satisfaction which she felt in mortifying a rival, whose beauty and accomplishments she envied, had, perhaps, no less influence than political considerations in bringing her to this resolution. But at the same time, in order to screen herself from the censure which this conduct merited, and to make her treatment of the Scottish Queen look like the effect of necessity rather than of choice, she determined to assume the appearance of concern for her interest, and of deep sympathy with her sufferings.

May 20. With this view, she instantly dispatched Lord Scrope, warden of the west marches, and Sir Francis Knollys, her vice-chamberlain, to the Queen of Scots, with letters full of expressions of kindness and condolence. But, at the same time, they had private instructions to watch all her motions, and to take care that she should not escape into her own kingdom[p]. On their arrival, Mary demanded a personal interview with the Queen, that she might lay before her the injuries which she had suffered,

Mary demands admittance into Eliza-

[p] Anders. vol. iv. 36. 70. 92.

and receive from her those friendly offices which she had been encouraged to expect. They answered, that it was with reluctance admission into the presence of their sovereign was at present denied her; that while she lay under the imputation of a crime so horrid as the murder of her husband, their mistress, to whom he was so nearly allied, could not, without bringing a stain upon her own reputation, admit her into her presence; but, as soon as she had cleared herself from that aspersion, they promised her a reception suitable to her dignity, and aid proportioned to her distress[q]. BOOK V. 1568. Elizabeth's presence.

Nothing could be more artful than this pretence; and it was the occasion of leading the Queen of Scots into the snare in which Elizabeth and her ministers wished to entangle her. Mary expressed the utmost surprise at this unexpected manner of evading her request; but, as she could not believe so many professions of friendship to be void of sincerity, she frankly offered to submit her cause to the cognizance of Elizabeth, and undertook to produce such proofs of her own innocence, and of the falsehood of the accusations brought against her, as should fully remove the scruples, and satisfy the delicacy, of the English Queen. This was the very point to which Elizabeth laboured to bring the matter. In consequence of this appeal of the Scottish Queen, she now considered herself as the umpire between her and her subjects, and foresaw that she would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve She offers to vindicate her conduct. Elizabeth takes advantage of this offer.

[q] Anders. vol. iv. 8. 55.

BOOK V. 1568.

it in endless difficulties. In the mean time, she was furnished with a plausible reason for keeping her at a distance from court, and for refusing to contribute towards replacing her on the throne. As Mary's conduct had been extremely incautious, and the presumptions of her guilt were many and strong, it was not impossible her subjects might make good their charge against her; and if this should be the result of the inquiry, she would, thenceforth, cease to be the object of regard or of compassion, and the treating her with coldness and neglect would merit little censure. In a matter so dark and mysterious, there was no probability that Mary could bring proofs of her innocence, so incontested, as to render the conduct of the English Queen altogether culpable; and, perhaps, impatience under restraint, suspicion of Elizabeth's partiality, or the discovery of her artifices, might engage Mary in such cabals as would justify the using her with greater rigour.

Elizabeth early perceived many advantages which would arise from an inquiry into the conduct of the Scottish Queen, carried on under her direction. There was some danger, however, that Mary might discover her secret intentions too soon, and, by receding from the offer which she had made, endeavour to disappoint them. But, even in that event, she determined not to drop the inquiry, and had thought of several different expedients for carrying it on. The Countess of Lennox, convinced that Mary was accessary to the murder of her son, and thirsting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's justice, and solicited her, with many tears, in her own name,

and in her husband's, to bring the Scottish Queen to a trial for that crime[r]. The parents of the unhappy Prince had a just right to prefer this accusation; nor could she, who was their nearest kinswoman, be condemned for listening to so equitable a demand. Besides, as the Scottish nobles openly accused Mary of the same crime, and pretended to be able to confirm their charge by sufficient proof, it would be no difficult matter to prevail on them to petition the Queen of England to take cognizance of their proceedings against their sovereign; and it was the opinion of the English council, that it would be reasonable to comply with the request[s]. At the same time, the obsolete claim of the superiority of England over Scotland began to be talked of; and, on that account, it was pretended that the decision of the contest between Mary and her subjects belonged of right to Elizabeth[t]. But, though Elizabeth revolved all these expedients in her mind, and kept them in reserve to be made use of as occasion might require, she wished that the inquiry into Mary's conduct should appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and so long as that appearance could be preserved, none of the other expedients were to be employed.

BOOK V. 1568.

When Mary consented to submit her cause to Elizabeth, she was far from suspecting that any bad consequences could follow, or that any dangerous pretensions could be founded on her offer. She

[r] Camd. 412. Haynes, 469. [s] And. vol. iv. part i. 37.
[t] Ibid.

BOOK V. 1568.

expected that Elizabeth herself would receive and examine her defences[u]; she meant to consider her as an equal, for whose satisfaction she was willing to explain any part of her conduct that was liable to censure, not to acknowledge her as a superior, before whom she was bound to plead her cause. But Elizabeth put a very different sense on Mary's offer. She considered herself as chosen to be judge in the controversy between the Scottish Queen and her subjects, and began to act in that capacity. She proposed to appoint commissioners to hear the pleadings of both parties, and wrote to the Regent of Scotland to impower proper persons to appear before them in his name, and to produce what he could allege in vindication of his proceedings against his sovereign.

Mary greatly offended at Elizabeth's conduct.

Mary had hitherto relied with unaccountable credulity on Elizabeth's professions of regard, and expected that so many kind speeches would at last be accompanied with some suitable actions. But this proposal entirely undeceived her. She plainly perceived the artifice of Elizabeth's conduct, and saw what a diminution it would be to her own honour to appear on a level with her rebellious subjects, and to stand together with them at the bar of a superior and a judge. She retracted the offer which she had made, and which had been perverted to a purpose so contrary to her intention. She demanded, with more earnestness than ever, to be admitted into Elizabeth's presence; and wrote to her in a strain very different from what she had

July 13.

[u] Anders. vol. iv. 10.

formerly used, and which fully discovers the grief and indignation that preyed on her heart. "In my "present situation," says she, "I neither will nor "can reply to the accusations of my subjects. I "am ready, of my own accord, and out of friend- "ship to you, to satisfy your scruples, and to vindi- "cate my own conduct. My subjects are not my "equals; nor will I, by submitting my cause to a "judicial trial, acknowledge them to be so. I fled "into your arms, as into those of my nearest rela- "tion and most perfect friend. I did you honour, "as I imagined, in choosing you, preferably to any "other Prince, to be the restorer of an injured Queen. "Was it ever known that a Prince was blamed for "hearing, in person, the complaints of those who "appealed to his justice, against the false accusa- "tions of their enemies? You admitted into your "presence my bastard brother, who had been guilty "of rebellion; and you deny me that honour! "God forbid that I should be the occasion of bring- "ing any stain upon your reputation! I expected "that your manner of treating me would have ad- "ded lustre to it. Suffer me either to implore the "aid of other Princes, whose delicacy on this head "will be less, and their resentment of my wrongs "greater; or let me receive from your hands that "assistance which it becomes you, more than any "other Prince, to grant; and, by that benefit, bind "me to yourself in the indissoluble ties of grati- "tude[x].

BOOK V. 1568. April 24.

This letter somewhat disconcerted Elizabeth's June 20.

[x] Anders. vol. iv. part i. 94.

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1568.

plan, but did not divert her from the prosecution of it. She laid the matter before the privy council, and it was there determined, notwithstanding the entreaties and remonstrances of the Scottish Queen, to go on with the inquiry into her conduct; and, until that were finished, it was agreed that Elizabeth could not, consistently with her own honour, or with the safety of her government, either give her the assistance which she demanded, or permit her to retire out of the kingdom. Lest she should have an opportunity of escaping, while she resided so near Scotland, it was thought advisable to remove her to some place at a greater distance from the borders[y].

Elizabeth's precautions against her.

Proceedings of the Regent against the Queen's adherents.

While the English court was occupied in these deliberations, the Regent did not neglect to improve the victory at Langside. That event was of the utmost importance to him. It not only drove the Queen herself out of the kingdom, but left her adherents dispersed, and without a leader, at his mercy. He seemed resolved, at first, to proceed against them with the utmost rigour. Six persons of some distinction, who had been taken prisoners in the battle, were tried, and condemned to death, as rebels against the King's government. They were led to the place of execution, but, by the powerful intercession of Knox, they obtained a pardon. Hamilton of Bothwelhaugh was one of the number, who lived to give both the Regent and Knox reason to repent of this commendable act of lenity[z].

[y] Anders. vol. iv. part i. 102.

[z] Cald. vol. ii. 99.

Soon after, the Regent marched with an army, consisting of four thousand horse and one thousand foot, towards the west borders. The nobles in this part of the kingdom were all the Queen's adherents; but, as they had not force sufficient to obstruct his progress, he must either have obliged them to submit to the King, or would have laid waste their lands with fire and sword. But Elizabeth, whose interest it was to keep Scotland in confusion, by preserving the balance between the two parties, and who was endeavouring to sooth the Scottish Queen by gentle treatment, interposed at her desire. After keeping the field two weeks, the Regent, in compliance to the English ambassador, dismissed his forces; and an expedition, which might have proved fatal to his opponents, ended with a few acts of severity[a]. BOOK V. 1568.

The resolution of the English privy council, with regard to Mary's person, was soon carried into execution; and, without regarding her remonstrances or complaints, she was conducted to Bolton, a castle of Lord Scrope's, on the borders of Yorkshire[b]. In this place, her correspondence with her friends in Scotland became more difficult, and any prospect of making her escape was entirely cut off. She now felt herself to be completely in Elizabeth's power, and, though treated as yet with the respect due to a Queen, her real condition was that of a prisoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worst of all evils. While the Mary carried to Bolton. July 13.

[a] Cald. vol. ii. 99.

[b] Anders. vol. iv. 14. See Appendix, No. XXV.

BOOK V. 1568. July 28.

remembrance of her late imprisonment was still lively, and the terror of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former proposition, that she would suffer the Regent and his adherents to be called into England, and consent to their being heard in defence of their own conduct. She declared it to be far from her intention to claim any right of judging between Mary and her subjects, or of degrading her so far as to require that she should answer to their accusations. On the contrary, Murray and his associates were summoned to appear, in order to justify their conduct in treating their sovereign so harshly, and to vindicate themselves from those crimes with which she had charged them. On her part, Elizabeth promised, whatever should be the issue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations by no means unreasonable. Mary, deceived by this seeming attention to her dignity as a Queen, soothed, on one hand, by a promise more flattering than any which she had hitherto received from Elizabeth, and urged, on the other, by the feelings which were natural on being conducted into a more interior part of England, and kept there in more rigorous confinement, complied at length with what Elizabeth required, and promised to send commissioners to the conferences appointed to be held at York[c].

Agrees that an inquiry be made into her conduct.

In order to persuade Elizabeth that she desired

[c] Anders. iv. part i. p. 11, 12, &c. 109, &c. Haynes, 468, &c. State Trials, Edit. Hargrave, i. 90.

nothing so much as to render the union between them as close as possible, she showed a disposition to relax somewhat in one point; with regard to which, during all her past and subsequent misfortunes, she was uniformly inflexible. She expressed a great veneration for the liturgy of the church of England; she was often present at religious worship, according to the rites of the reformed church; made choice of a Protestant clergyman to be her chaplain; heard him preach against the errors of popery with attention and seeming pleasure; and discovered all the symptoms of an approaching conversion[d]. Such was Mary's known and bigoted attachment to the popish religion, that it is impossible to believe her sincere in this part of her conduct; nor can any thing mark more strongly the wretchedness of her condition, and the excess of her fears, than that they betrayed her into dissimulation, in a matter concerning which her sentiments were, at all other times, scrupulously delicate.

1568. Her dissimulation with regard to religion.

At this time the Regent called a parliament, in order to proceed to the forfeiture of those who refused to acknowledge the King's authority. The Queen's adherents were alarmed, and Argyll and Huntly, whom Mary had appointed her lieutenants, the one in the south and the other in the north of Scotland, began to assemble forces to obstruct this meeting. Compassion for the Queen, and envy at those who governed in the King's name, had added so much strength to the party, that the Regent

August 18. A parliament in Scotland.

[d] Anders. vol. iv. part i. 113. Haynes, 509. See Appendix, No. XXVI.

BOOK V. 1568.

would have found it difficult to withstand its efforts. But as Mary had submitted her cause to Elizabeth, she could not refuse, at her desire, to command her friends to lay down their arms, and to wait patiently until matters were brought to a decision in England. By procuring this cessation of arms, Elizabeth afforded as seasonable relief to the Regent's faction, as she had formerly given to the Queen's[e].

The Regent, however, would not consent, even at Elizabeth's request, to put off the meeting of parliament[f]. But we may ascribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one half of his countrymen from exterminating the other, any appearances of moderation which this Parliament discovered in its proceedings. The most violent opponents of the King's government were forfeited; the rest were allowed still to hope for favour[g].

Elizabeth requires the Regent to defend his conduct.

No sooner did the Queen of Scots submit her cause to her rival, than Elizabeth required the Regent to send to York deputies properly instructed for vindicating his conduct, in presence of her commissioners. It was not without hesitation and anxiety that the Regent consented to this measure. His authority was already established in Scotland, and confirmed by Parliament. To suffer its validity now to be called in question, and subjected to a foreign jurisdiction, was extremely mortifying. To accuse his sovereign before strangers, the ancient enemies of the Scottish name, was an odious

[e] Anders. vol. iv. 125.
[f] See Appendix, XXVII.
[g] Buch. 371.

task. To fail in this accusation was dangerous; to succeed in it was disgraceful. But the strength of the adverse faction daily increased. He dreaded the interposition of the French King in its behalf. In his situation, and in a matter which Elizabeth had so much at heart, her commands were neither to be disputed nor disobeyed[h]. 1568.

Both the Queen and he appoint commissioners.

The necessity of repairing in person to York added to the ignominy of the step which he was obliged to take. All his associates declined the office; they were unwilling to expose themselves to the odium and danger with which it was easy to foresee that the discharge of it would be attended, unless he himself consented to share these in common with them. The Earl of Morton, Bothwell Bishop of Orkney, Pitcairn Commendator of Dunfermling, and Lord Lindsay, were joined with him in commission. Macgill of Rankeilor, and Balnaves of Hallhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whose genius did honour to the age, Maitland, and several others, were appointed to attend them as assistants. Maitland owed this distinction to the Regent's fear, rather than to his affection. He had warmly remonstrated against this measure. He wished his country to continue in friendship with England, but not to become dependent on that nation. He was desirous of re-establishing the Queen in some degree of power, not inconsistent with that which the King possessed; and the Regent could

Sept. 18.

[h] Buch. 372. See Append. No. XXVIII.

BOOK V. 1568.

not, with safety, leave behind him a man, whose views were so contrary to his own, and who, by his superior abilities, had acquired an influence in the nation, equal to that which others derived from the antiquity and power of their families[i].

Mary impowered Lesley Bishop of Ross, Lord Livingston, Lord Boyd, Lord Herries, Gavin Hamilton Commendator of Kilwinning, Sir John Gordon of Lochinvar, and Sir James Cockburn of Stirling, to appear in her name[k].

Elizabeth nominated Thomas Howard Duke of Norfolk, Thomas Radcliff Earl of Sussex, and Sir Ralph Sadler, her commissioners to hear both parties.

The conference at York.

The fourth of October was the day fixed for opening the *conference*. The great abilities of the deputies on both sides, the dignity of the judges before whom they were to appear, the high rank of the persons whose cause was to be heard, and the importance of the points in dispute, rendered the whole transaction no less illustrious than it was singular. The situation in which Elizabeth appeared on this occasion, strikes us with an air of magnificence. Her rival, an independent Queen, and the heir of an ancient race of monarchs, was a prisoner in her hands, and appeared, by her ambassadors, before her tribunal. The Regent of Scotland, who represented the majesty and possessed the authority of a King, stood in person at

[i] Buch. 371. Anders. vol. iv. 35. Melv. 186. 188.

[k] Anders. vol. iv. 33.

her bar. And the fate of a kingdom, whose power her ancestors had often dreaded, but could never subdue, was now at her disposal. BOOK V. 1568.

The views, however, with which the several parties consented to this conference, and the issue to which they expected to bring it, were extremely different. Views of the different parties.

Mary's chief object was the recovering of her former authority. This induced her to consent to a measure against which she had long struggled. Elizabeth's promises gave her ground for entertaining hopes of being restored to her kingdom; in order to which she would have willingly made many concessions to the King's party; and the influence of the English Queen, as well as her own impatience under her present situation, might have led her to many more[1]. The Regent aimed at nothing but securing Elizabeth's protection to his party, and seems not to have had the most distant thoughts of coming to any composition with Mary. Elizabeth's views were more various, and her schemes more intricate. She seemed to be full of concern for Mary's honour, and solicitous that she should wipe off the aspersions which blemished her character. This she pretended to be the intention of the conference; amusing Mary, and eluding the solicitations of the French and Spanish ambassadors in her behalf, by repeated promises of assisting her, as soon as she could venture to do so without bringing disgrace upon herself. But under this veil of friendship and generosity, Elizabeth

[1] Anders. vol. iv. part ii. 33. Good. vol. ii. 337.

BOOK V. 1568.

concealed sentiments of a different nature. She expected that the Regent would accuse Mary of being accessary to the murder of her husband. She encouraged him, as far as decency would permit, to take this desperate step[m]. And as this accusation might terminate in two different ways, she had concerted measures for her future conduct suitable to each of these. If the charge against Mary should appear to be well-founded, she resolved to pronounce her unworthy of wearing a crown, and to declare that she would never burden her own conscience with the guilt of an action so detestable as the restoring her to her kingdom[n]. If it should happen, that what her accusers alleged did not amount to a proof of guilt, but only of mal-administration, she determined to set on foot a treaty for restoring her, but on such conditions as would render her hereafter dependent, not only upon England, but upon her own subjects[o]. As every step in the progress of the conference, as well as the final result of it, was in Elizabeth's own power, she would still be at liberty to choose which of these courses she should hold; or, if there appeared to be any danger or inconveniency in pursuing either of them, she might protract the whole cause by endless delays, and involve it in inextricable perplexity.

Complaint of the Queen's commis-

The conference, however, was opened with much solemnity. But the very first step discovered it to be Elizabeth's intention to inflame, rather than to

[m] Anders. vol. iv. part ii. 11. 45. Haynes, 487.

[n] Anders. vol. iv. part ii. 11.

[o] Id. ibid. 16.

extinguish, the dissentions and animosities among the Scots. No endeavours were used to reconcile the contending parties, or to mollify the fierceness of their hatred, by bringing the Queen to offer pardon for what was past, or her subjects to promise more dutiful obedience for the future. On the contrary, Mary's commissioners were permitted to prefer a complaint against the Regent and his party, containing an enumeration of their treasonable actions, of their seizing her person by force of arms, committing her to prison, compelling her to resign the crown, and making use of her son's name to colour their usurpation of the whole royal authority; and of all these enormities they required such speedy and effectual redress, as the injuries of one Queen demanded from the justice of another[p].

BOOK V. 1568. sioners against the Regent. October 8.

It was then expected that the Regent would have disclosed all the circumstances of that unnatural crime to which he pretended the Queen had been accessary, and would have produced evidence in support of his charge. But, far from accusing Mary, the Regent did not even answer the complaints brought against himself. He discovered a reluctance at undertaking that office, and started many doubts and scruples, with regard to which he demanded to be resolved by Elizabeth herself[q]. His reserve and hesitation were no less surprising to the greater part of the English commissioners than to his own associates. They knew that he could not vindicate his own conduct without charging the murder upon the Queen, and he had not hitherto

[p] Anders. vol. iv. part ii. 52. [q] Haynes, 478.

BOOK V. shown any extraordinary delicacy on that head. An intrigue, however, had been secretly carried on, since his arrival at York, which explains this mystery.

1568.

Intrigues of Norfolk with the Regent.

The Duke of Norfolk was, at that time, the most powerful and most popular man in England. His wife was lately dead; and he began already to form a project, which he afterwards more openly avowed, of mounting the throne of Scotland by a marriage with the Queen of Scots. He saw the infamy which would be the consequence of a public accusation against Mary, and how prejudicial it might be to her pretensions to the English succession. In order to save her from this cruel mortification, he applied to Maitland, and expressed his astonishment at seeing a man of so much reputation for wisdom, concurring with the Regent in a measure so dishonourable to themselves, to their Queen, and to their country; submitting the public transactions of the nation to the judgment of foreigners; and publishing the ignominy and exposing the faults of their sovereign, which they were bound, in good policy, as well as in duty, to conceal and to cover. It was easy for Maitland, whose sentiments were the same with the Duke's, to vindicate his own conduct. He assured him that he had employed all his credit to dissuade his countrymen from this measure; and would still contribute, to the utmost of his power, to divert them from it. This encouraged Norfolk to communicate the matter to the Regent. He repeated and enforced the same arguments which he had used with Maitland. He warned him of the danger to which he must expose himself by such a violent action as the public ac-

cusation of his sovereign. Mary would never forgive a man who had endeavoured to fix such a brand of infamy on her character. If she ever recovered any degree of power, his destruction would be inevitable, and he would justly merit it at her hands. Nor would Elizabeth screen him from this, by a public approbation of his conduct. For, whatever evidence of Mary's guilt he might produce, she was resolved to give no definitive sentence in the cause. Let him only demand that the matter should be brought to a decision immediately after hearing the proof, and he would be fully convinced how false and insidious her intentions were, and, by consequence, how improper it would be for him to appear as the accuser of his own sovereign[r]. The candour which Norfolk seemed to discover in these remonstrances, as well as the truth which they contained, made a deep impression on the Regent. He daily received the strongest assurances of Mary's willingness to be reconciled to him, if he abstained from accusing her of such an odious crime, together with the denunciations of her irreconcileable hatred, if he acted a contrary part[s]. All these considerations concurred in determining him to alter his purpose, and to make trial of the expedient which the Duke had suggested. 1568.

He demanded, therefore, to be informed, before he proceeded further, whether the English commissioners were empowered to declare the Queen guilty, by a judicial act; whether they would promise to October 9.

[r] Melv. 187. Haynes, 573.

[s] Anders. vol. iv. part ii. 77. Good. vol. ii. 157. See Append. No. XXIX.

BOOK V. 1568.

pass sentence, without delay; whether the Queen should be kept under such restraint, as to prevent her from disturbing the government now established in Scotland; and whether Elizabeth, if she approved of the proceedings of the King's party, would engage to protect it for the future[t]? The paper containing these demands was signed by himself alone, without communicating it to any of his attendants, except Maitland and Melvil[u]. But, lest so many precautions should excite any suspicion of their proceedings, from some consciousness of defect in the evidence which he had to produce against his sovereign, Murray empowered Lethington, Macgill, and Buchanan, to wait upon the Duke of Norfolk, the Earl of Sussex, and Sir Ralph Sadler, and to lay before them, not in their public characters as commissioners, but as private persons, Mary's letters to Bothwell, her sonnets, and all the other papers upon which was founded the charge of her being accessary to the murder of the King, and to declare that this confidential communication was made to them, with a view to learn whether the Queen of England would consider this evidence as sufficient to establish the truth of the accusation. Nothing could be more natural than the Regent's solicitude to know on what footing he stood. To have ventured on a step so uncommon and dangerous, as the accusing his sovereign, without previously ascertaining that he might take it with safety, would have been unpardonable imprudence. But Elizabeth,

[t] Anders. vol. iv. part ii. 55. State Trials, i. 91, &c.
[u] Anders. vol. iv. part ii. 56. Melv. 190.

who did not expect that he would have moved any such difficulty, had not empowered her commissioners to give him that satisfaction which he demanded. It became necessary to transmit the articles to herself, and by the light in which Norfolk placed them, it is easy to see that he wished that they should make no slight impression on Elizabeth and her ministers. "Think not the Scots," said he, "over-scrupulous or precise. Let us view their "conduct as we would wish our own to be viewed "in a like situation. The game they play is deep; "their estates, their lives, their honour, are at stake. "It is now in their own power to be reconciled to "their Queen, or to offend her irrecoverably; and, "in a matter of so much importance, the utmost "degree of caution is not excessive[x]."

1568.

While the English commissioners waited for fuller instructions with regard to the Regent's demands, he gave in an answer to the complaint which had been offered in the name of the Scottish Queen. It was expressed in terms perfectly conformable to the system which he had at that time adopted. It contained no insinuation of the Queen's being accessary to the murder of her husband; the bitterness of style peculiar to the age was considerably abated; and though he pleaded, that the infamy of the marriage with Bothwell made it necessary to take arms in order to dissolve it; though Mary's attachment to a man so odious justified the keeping her for some time under restraint; yet nothing more was said on these subjects than was barely requisite in

[x] Anders. vol. iv. 77.

BOOK V. his own defence. The Queen's commissioners did not fail to reply[y]. But while the article with respect to the murder remained untouched, these were only skirmishes at a distance, of no consequence towards ending the contest, and were little regarded by Elizabeth, or her commissioners.

1568. Oct. 17.

The conference removed to Westminster.

The conference had, hitherto, been conducted in a manner which disappointed Elizabeth's views, and produced none of those discoveries which she had expected. The distance between York and London, and the necessity of consulting her upon every difficulty which occurred, consumed much time. Norfolk's negotiation with the Scottish Regent, however secretly carried on, was not, in all probability, unknown to a Princess so remarkable for her sagacity in penetrating the designs of her enemies, and seeing through their deepest schemes[z]. Instead, therefore, of returning any answer to the Regent's demands, she resolved to remove the conference to Westminster, and to appoint new commissioners, in whom she could more absolutely confide. Both the Queen of Scots and the Regent were brought, without difficulty, to approve of this resolution[a].

We often find Mary boasting of the superiority in argument obtained by her commissioners during the conference at York, and how, by the strength of their reasons, they confounded her adversaries, and silenced all their cavils[b]. The dispute stood, at that time, on a footing which rendered her vic-

[y] Anders. vol. iv. part ii. 64. 80.
[z] Good. vol. ii. 160. Anders. vol. iii. 24.
[a] Haynes, 484. Anders. vol. iv. 94.
[b] Good. vol. i. 186. 284. 350.

tory not only apparent, but easy. Her participation of the guilt of the King's murder was the circumstance upon which her subjects must have rested, as a justification of their violent proceedings against her; and, while they industriously avoided mentioning that, her cause gained as much as that of her adversaries lost by suppressing this capital argument. 1568.

Elizabeth resolved that Mary should not enjoy the same advantage in the conference to be held at Westminster. She deliberated with the utmost anxiety, how she might overcome the Regent's scruples, and persuade him to accuse the Queen. She considered of the most proper method for bringing Mary's commissioners to answer such an accusation; and as she foresaw that the promises with which it was necessary to allure the Regent, and which it was impossible to conceal from the Scottish Queen, would naturally exasperate her to a great degree, she determined to guard her more narrowly than ever; and, though Lord Scrope had given her no reason to distrust his vigilance or fidelity, yet, because he was the Duke of Norfolk's brother-in-law, she thought it proper to remove the Queen as soon as possible to Tuthbury in Staffordshire, and commit her to the keeping of the Earl of Shrewsbury, to whom that castle belonged[c].

Mary began to suspect the design of this second conference; and, notwithstanding the satisfaction she expressed at seeing her cause taken more immediately under the Queen's own eye[d], she framed her instructions to her commissioners in such a

Mary's suspicions of Elizabeth's intentions. Oct. 21.

[c] Haynes, 487.

[d] Anders. vol. iv. part ii. 95.

BOOK V. 1568.

manner, as to avoid being brought under the necessity of answering the accusation of her subjects, if they should be so desperate as to exhibit one against her[e]. These suspicions were soon confirmed by a circumstance extremely mortifying. The Regent having arrived at London, in order to be present at the conference, was immediately admitted into Elizabeth's presence, and received by her, not only with respect, but with affection. This Mary justly considered as an open declaration of that Queen's partiality towards her adversaries. In the first emotions of her resentment, she wrote to her commissioners, and commanded them to complain, in the presence of the English nobles, and before the ambassadors of foreign Princes, of the usage she had hitherto met with, and the additional injuries which she had reason to apprehend. Her rebellious subjects were allowed access to the Queen, she was excluded from her presence; they enjoyed full liberty, she languished under a long imprisonment; they were encouraged to accuse her, in defending herself she laboured under every disadvantage. For these reasons she once more renewed her demand, of being admitted into the Queen's presence; and if that were denied, she instructed them to declare, that she recalled the consent which she had given to the conference at Westminster, and protested, that whatever was done there, should be held to be null and invalid[f].

Nov. 22. Claims a personal audience of Elizabeth.

This, perhaps, was the most prudent resolution Mary could have taken. The pretences on which

[e] Good. vol. ii. 349.

[f] Ibid. vol. ii. 184.

she declined the conference were plausible, and the juncture for offering them well chosen. But either the Queen's letter did not reach her commissioners in due time, or they suffered themselves to be deceived by Elizabeth's professions of regard for their mistress, and consented to the opening of the conference[g]. BOOK V. 1568.

To the commissioners who had appeared in her name at York, Elizabeth now added Sir Nicholas Bacon, keeper of the great seal, the Earls of Arundel and Leicester, Lord Clinton, and Sir William Cecil[h]. The difficulties which obstructed the proceedings at York were quickly removed. A satisfying answer was given to the Regent's demands; nor was he so much disposed to hesitate, and raise objections, as formerly. His negotiation with Norfolk had been discovered to Morton by some of Mary's attendants, and he had communicated it to Cecil[i]. His personal safety, as well as the continuance of his power, depended on Elizabeth. By favouring Mary, she might at any time ruin him; and by a question which she artfully started, concerning the person who had a right, by the law of Scotland, to govern the kingdom during a minority, she let him see, that even without restoring the Queen, it was an easy matter for her to deprive him of the supreme direction of affairs[k]. These considerations, which were powerfully seconded by most of his attendants, at length determined the Regent to produce his accusation against the Queen. Nov. 25.

[g] Anders. vol. iii. 25.
[h] Id. vol. iv. part ii. 99.
[i] Melv. 191.
[k] Haynes, 484.

BOOK V. 1568. The Regent accuses the Queen of being accessary to her husband's murder.

He endeavoured to lessen the obloquy with which he was sensible this action would be attended, by protesting that it was with the utmost reluctance he undertook this disagreeable task; that his party had long suffered their conduct to be misconstrued, and had borne the worst imputations in silence, rather than expose the crimes of their sovereign to the eyes of strangers; but that now the insolence and importunity of the adverse faction forced them to publish what they had hitherto, though with loss to themselves, endeavoured to conceal[1]. These pretexts are decent; and the considerations which he mentions had, during some time, a real influence upon the conduct of the party; but, since the meeting of parliament held in December, they had discovered so little delicacy and reserve with respect to the Queen's actions, as renders it impossible to give credit to those studied professions. The Regent and his associates were drawn, it is plain, partly by the necessity of their affairs, and partly by Elizabeth's artifices, into a situation where no liberty of choice was left to them; and they were obliged either to acknowledge themselves to be guilty of rebellion, or to charge Mary with having been accessary to the commission of murder.

The accusation itself was conceived in the strongest terms. Mary was charged, not only with having consented to the murder, but with being accessary to the contrivance and execution of it. Bothwell, it was pretended, had been screened from the pursuits of justice by her favour; and she had formed

[1] Anders. vol. iv. part ii. 115.

designs no less dangerous to the life of the young Prince, than subversive of the liberties and constitution of the kingdom. If any of these crimes should be denied, an offer was made to produce the most ample and undoubted evidence in confirmation of the charge[m]. BOOK V. 1568.

At the next meeting of the commissioners, the Earl of Lennox appeared before them; and after bewailing the tragical and unnatural murder of his son, he implored Elizabeth's justice against the Queen of Scots, whom he accused, upon oath, of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the stage so opportunely, and at a juncture so critical, can scarce be imputed to chance. This contrivance was manifestly Elizabeth's, in order to increase, by this additional accusation, the infamy of the Scottish Queen[n]. Nov. 29.

Mary's commissioners expressed the utmost surprise and indignation at the Regent's presumption in loading the Queen with calumnies, which, as they affirmed, she had so little merited. But, instead of attempting to vindicate her honour, by a reply to the charge, they had recourse to an article in their instructions, which they had formerly neglected to mention in its proper place. They demanded an audience of Elizabeth; and having renewed their mistress's request of a personal interview, they protested, if that were denied her, against Her commissioners refuse to answer. Dec. 4.

[m] Anders. vol. iv. part ii. 119. [n] Id. ibid. 122.

BOOK V. 1568.

all the future proceedings of the commissioners[o]. A protestation of this nature, offered just at the critical time when such a bold accusation had been preferred against Mary, and when the proofs in support of it were ready to be examined, gave reason to suspect that she dreaded the event of that examination. This suspicion received the strongest confirmation from another circumstance: Ross and Herries, before they were introduced to Elizabeth, in order to make this protestation, privately acquainted Leicester and Cecil, that as their mistress had, from the beginning, discovered an inclination towards bringing the differences between herself and her subjects to an amicable accommodation, so she was still desirous, notwithstanding the Regent's audacious accusation, that they should be terminated in that manner[p].

Such moderation seems hardly to be compatible with the strong resentment which calumniated innocence naturally feels; or with that eagerness to vindicate itself which it always discovers. In Mary's situation, an offer so ill-timed must be considered as a confession of the weakness of her cause. The known character of her commissioners exempts them from the imputation of folly, or the suspicion of treachery. Some secret conviction, that the conduct of their mistress could not bear so strict a scrutiny as must be made into it, if they should reply to the accusation preferred by Murray against her,

[o] Anderson, vol. iv. part ii. 133. 158, &c.

[p] Ibid. iv. 134. Cabbala, 157.

seems to be the most probable motive of this imprudent proposal, by which they endeavoured to avoid it. BOOK V. 1568.

It appeared in this light to Elizabeth, and afforded her a pretence for rejecting it. She represented to Mary's commissioners, that in the present juncture, nothing could be so dishonourable to their mistress as an accommodation; and that the matter would seem to be huddled up in this manner, merely to suppress discoveries, and to hide her shame; nor was it possible that Mary could be admitted, with any decency, into her presence, while she lay under the infamy of such a public accusation. Dec. 4.

Upon this repulse Mary's commissioners withdrew; and as they had declined answering, there seemed now to be no further reason for the Regent's producing the proofs in support of his charge. But without getting these into her hands, Elizabeth's schemes were incomplete; and her artifice for this purpose was as mean, but as successful, as any she had hitherto employed. She commanded her commissioners to testify her indignation and displeasure at the Regent's presumption in forgetting so far the duty of a subject, as to accuse his sovereign of such atrocious crimes. He, in order to regain the good opinion of such a powerful protectress, offered to show that his accusations were not malicious or ill-grounded. Then were produced and submitted to the inspection of the English commissioners, the acts of the Scottish parliament in confirmation of the Regent's authority, and of the Queen's resignation; the confessions of the persons executed for

BOOK V. 1568.

the King's murder; and the fatal casket which contained the letters, sonnets, and contracts, that have been so often mentioned.

Elizabeth treats Mary with greater rigour. Dec. 14.

As soon as Elizabeth got these into her possession, she laid them before her privy council, to which she joined on this occasion several noblemen of the greatest eminence in her kingdom; in order that they might have an opportunity of considering the mode in which an inquiry of such public importance had been hitherto conducted, as well as the amount of the evidence now brought against a person who claimed a preferable right of succession to the English crown. In this respectable assembly all the proceedings in the conferences at York and Westminster were reviewed, and the evidence produced by the Regent of Scotland against his sovereign was examined with attention. In particular, the letters and other papers said to be written by the Queen of Scots, were carefully compared "for the "manner of writing and orthography," with a variety of letters which Elizabeth had received at different times from the Scottish Queen; and, as the result of a most accurate collation, the members of the privy council, and noblemen conjoined with them, declared that no difference between these could be discovered[q]. Elizabeth having established a fact so unfavourable to her rival, began to lay aside the expressions of friendship and respect which she had hitherto used in all her letters to the Scottish Queen. She now wrote to her in such terms, as if the presumptions of her guilt had

[q] Anderson, vol. iv. part ii. 170, &c.

amounted almost to certainty; she blamed her for refusing to vindicate herself from an accusation which could not be left unanswered, without a manifest injury to her character; and plainly intimated, that unless that were done, no change would be made in her present situation[r]. She hoped that such a discovery of her sentiments would intimidate Mary, who was hardly recovered from the shock of the Regent's attack on her reputation, and force her to confirm her resignation of the crown, to ratify Murray's authority as Regent, and to consent that both herself and her son should reside in England, under English protection. This scheme Elizabeth had much at heart; she proposed it both to Mary and to her commissioners, and neglected no argument, or artifice, that could possibly recommend it. Mary saw how fatal this would prove to her reputation, to her pretensions, and even to her personal safety. She rejected it without hesitation. "Death," said she, "is less dreadful than such an "ignominious step. Rather than give away, with my "own hands, the crown which descended to me from "my ancestors, I will part with life; but the last words "I utter, shall be those of a Queen of Scotland[s]."

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At the same time she seems to have been sensible how open her reputation lay to censure, while she suffered such a public accusation to remain unanswered; and though the conference was now dissolved, she empowered her commissioners to present a reply to the allegations of her enemies, in

[r] Anders. vol. iv. part ii. 179. 183. Good. vol. ii. 260.
[s] Haynes, 497. See App. No. XXX. Good. vol. ii. 274. 301.

BOOK V. 1568. Dec. 24.

which she denied in the strongest terms the crimes imputed to her; and recriminated upon the Regent and his party, by accusing them of having devised and executed the murder of the King[t]. The Regent and his associates asserted their innocence with great warmth. Mary continued to insist on a personal interview, a condition which she knew would never be granted[u]. Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evasions, and subterfuges, to which both Queens had recourse by turns, that Mary avoided, and Elizabeth did not desire to make any further progress in the inquiry.

1569. Feb. 2. Dismisses the Regent without either approving or condemning his conduct;

The Regent was now impatient to return into Scotland, where his adversaries were endeavouring, in his absence, to raise some commotions. Before he set out, he was called into the privy council, to receive a final declaration of Elizabeth's sentiments. Cecil acquainted him, in her name, that, on one hand, nothing had been objected to his conduct, which she could reckon detrimental to his honour, or inconsistent with his duty; nor had he, on the other hand, produced any thing against his sovereign, on which she could found an unfavourable opinion of her actions; and, for this reason, she resolved to leave all the affairs of Scotland precisely in the same situation in which she had found them at the beginning of the conference. The Queen's commissioners were dismissed much in the same manner[x].

[t] Good. ii. 285. [u] Ibid. 283. Cabbala, 157.
[x] Good. ii. 315. 333.

After the attention of both nations had been fixed so earnestly on this conference upwards of four months, such a conclusion of the whole appears, at first sight, trifling and ridiculous. Nothing, however, could be more favourable to Elizabeth's future schemes. Notwithstanding her seeming impartiality, she had no thoughts of continuing neuter; nor was she at any loss on whom to bestow her protection. Before the Regent left London, she supplied him with a considerable sum of money, and engaged to support the King's authority to the utmost of her power[y]. Mary, by her own conduct, fortified this resolution. Enraged at the repeated instances of Elizabeth's artifice and deceit, which she had discovered during the progress of the conference, and despairing of ever obtaining any succour from her, she endeavoured to rouse her own adherents in Scotland to arms, by imputing such designs to Elizabeth and Murray, as could not fail to inspire every Scotchman with indignation. Murray, she pretended, had agreed to convey the Prince her son into England; to surrender to Elizabeth the places of greatest strength in the kingdom; and to acknowledge the dependence of the Scottish upon the English nation. In return for this, Murray was to be declared the lawful heir of the crown of Scotland; and, at the same time, the question with regard to the English succession was to be decided in favour of the Earl of Hartford, who had promised to marry one of Cecil's daughters. An account of these wild and chimerical projects was

1569.

but secretly supports his party.

[y] Good. ii. 313. Carte, iii. 478.

BOOK V. 1569.

spread industriously among the Scots. Elizabeth, perceiving it was calculated of purpose to bring her government into disreputation, laboured to destroy its effects, by a counter-proclamation, and became more disgusted than ever with the Scottish Queen[z].

Efforts of Mary's adherents against him.

The Regent, on his return, found the kingdom in the utmost tranquillity. But the rage of the Queen's adherents, which had been suspended in expectation that the conference in England would terminate to her advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader, whose high quality and pretensions entitled him to great authority in the nation. This was the Duke of Chatelherault, who had resided for some years in France, and was now sent over by that court with a small supply of money, in hopes that the presence of the first nobleman in the kingdom would strengthen the Queen's party. Elizabeth had detained him in England for some months, under various pretences, but was obliged at last to suffer him to proceed on his journey. Before his departure, Mary invested him with the high dignity of her lieutenant-general in Scotland, together with the fantastic title of her adopted father.

Feb. 25.

His vigorous conduct breaks her party.

The Regent did not give him time to form his party into any regular body. He assembled an army with his usual expedition, and marched to Glasgow. The followers of Argyll and Huntly, who composed the chief part of the Queen's faction, be-

[z] Haynes, 500. 503. See Append. No. XXXI.

ing seated in corners of the kingdom very distant from each other, and many of the Duke's dependants having been killed or taken in the battle of Langside, the spirit and strength of his adherents were totally broken, and an accommodation with the Regent was the only thing which could prevent the ruin of his estate and vassals. This was effected without difficulty, and on no unreasonable terms. The Duke promised to acknowledge the authority both of the King and of the Regent; and to claim no jurisdiction in consequence of the commission which he had received from the Queen. The Regent bound himself to repeal the act which had passed for attainting several of the Queen's adherents; to restore all who would submit to the King's government to the possession of their estates and honours; and to hold a convention, wherein all the differences between the two parties should be settled by mutual consent. The Duke gave hostages for his faithful performance of the treaty: and, in token of their sincerity, he and Lord Herries accompanied the Regent to Stirling, and visited the young King. The Regent set at liberty the prisoners taken at Langside[a].

BOOK V. 1569.

Argyll and Huntly refused to be included in this treaty. A secret negotiation was carrying on in England in favour of the captive Queen, with so much success, that her affairs began to wear a better aspect, and her return into her own kingdom seemed to be an event not very distant. The

[a] Cabbala, 161. Crawf. Mem. 106.

BOOK V. 1569.

French King had lately obtained such advantages over the Hugonots, that the extinction of that party appeared to be inevitable, and France, by recovering domestic tranquillity, would be no longer prevented from protecting her friends in Britain. These circumstances not only influenced Argyll and Huntly, but made so deep an impression on the Duke, that he appeared to be wavering and irresolute, and plainly discovered that he wished to evade the accomplishment of the treaty. The Regent saw the danger of allowing the Duke to shake himself loose, in this manner, from his engagements; and instantly formed a resolution equally bold and politic. He commanded his guards to seize Chatelherault in his own house in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardless either of his dignity as the first nobleman in the kingdom and next heir to the crown, or of the promises of personal security, on which he had relied, committed him and Lord Herries prisoners to the castle of Edinburgh[b]. A blow so fatal and unexpected dispirited the party. Argyll submitted to the King's government, and made his peace with the Regent on very easy terms; and Huntly, being left alone, was at last obliged to lay down his arms.

April 16. July 21. A proposal in favour of Mary rejected.

Soon after, Lord Boyd returned into Scotland, and brought letters to the Regent, both from the English and Scottish Queens. A convention was held at Perth, in order to consider them. Eliza-

[b] Crawf. Mem. 111. Melv. 202.

beth's letter contained three different proposals with regard to Mary; that she should either be restored to the full possession of her former authority; or be admitted to reign jointly with the King her son; or at least be allowed to reside in Scotland in some decent retirement, without any share in the administration of government. These overtures were extorted by the importunity of Fenelon the French ambassador, and have some appearance of being favourable to the captive Queen. They were, however, perfectly suitable to Elizabeth's general system with regard to Scottish affairs. Among propositions so unequal and disproportionate, she easily saw where the choice would fall. The two former were rejected; and long delays must necessarily have intervened, and many difficulties have arisen, before every circumstance relative to the last could be finally adjusted[c].

1569.

Mary, in her letter, demanded that her marriage with Bothwell should be reviewed by the proper judges, and, if found invalid, should be dissolved by a legal sentence of divorce. This fatal marriage was the principal source of all the calamities she had endured for two years; a divorce was the only thing which could repair the injuries her reputation had suffered by that step. It was her interest to have proposed it early; and it is not easy to account for her long silence with respect to this point. Her particular motive for proposing it at this time began to be so well known, that the demand was

Norfolk's scheme for marrying

[c] Spotswood, 230.

BOOK V. 1569. the Queen of Scots.

rejected by the convention of estates[d]. They imputed it not so much to any abhorrence of Bothwell, as to her eagerness to conclude a marriage with the Duke of Norfolk.

This marriage was the object of that secret negotiation in England, which I have already mentioned. The fertile and projecting genius of Maitland first conceived this scheme. During the conference at York, he communicated it to the Duke himself, and to the Bishop of Ross. The former readily closed with a scheme so flattering to his ambition. The latter considered it as a probable device for restoring his mistress to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correspondence by means of his sister Lady Scrope, averse from a measure, which would have restored her to her kingdom with so much splendour[e]. The sudden removal of the conference from York to Westminster suspended, but did not break off this intrigue. Maitland and Ross were still the Duke's prompters, and his agents; and many letters and love-tokens were exchanged between him and the Queen of Scots.

Conceals it from Elizabeth.

But as he could not hope, that under an administration so vigilant as Elizabeth's, such an intrigue could be kept long concealed, he attempted to deceive her by the appearance of openness and can-

[d] Spotsw. 231. In a privy council, held July 30, 1569, this demand was considered; and, of fifty-one members present, only seven voted to comply with the Queen's request. Records Priv. Counc. MS. in the Lyon Office, p. 148.

[e] Camd. 419. Haynes, 573. State Trials, i. 73.

dour, an artifice which seldom fails of success. He mentioned to her the rumour that was spread of his marriage with the Scottish Queen; he complained of it as a groundless calumny; and disclaimed all thoughts of that kind, with many expressions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the Queen of Scots, she seems to have credited these professions[f]. But, instead of discontinuing the negotiation, he renewed it with greater vigour, and admitted into it new associates. Among these was the Regent of Scotland. He had given great offence to Norfolk, by his public accusation of the Queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the Duke in the north of England was great. The Earls of Northumberland and Westmorland, the most powerful noblemen in that part of the kingdom, threatened to revenge upon the Regent the injuries which he had done his sovereign. Murray, in order to secure a safe return into Scotland, addressed himself to Norfolk; and after some apology for his past conduct, he insinuated that the Duke's scheme of marrying the Queen his sister was no less acceptable to him than beneficial to both kingdoms, and that he would concur with the utmost ardour in promoting so desirable an event[g]. Norfolk heard him with the credulity natural to those who are passionately bent upon any design. He wrote to the two Earls to desist from any hos-

1569.

[f] Haynes, 574. State Trials, i. 79, 80. [g] Anders. iii. 34.

BOOK V. 1569.

tile attempt against Murray, and to that he owed his passage through the northern counties without disturbance.

Gains the consent of the English nobles.

Encouraged by his success in gaining the Regent, he next attempted to draw the English nobles to approve his design. The nation began to despair of Elizabeth's marrying. Her jealousy kept the question with regard to the right of succession undecided. The memory of the civil wars which had desolated England for more than a century, on account of the disputed titles of the houses of York and Lancaster, was still recent. Almost all the ancient nobility had perished, and the nation itself had been brought to the brink of destruction in that unhappy contest. The Scottish Queen, though her right of succession was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a Popish Prince, and bring both liberty and religion into danger. But, by marrying her to an Englishman, a zealous Protestant, the most powerful and most universally beloved of all the nobility, an effectual remedy seemed to be provided against all these evils. The greater part of the Peers, either directly or tacitly, approved of it, as a salutary project. The Earls of Arundel, Pembroke, Leicester, and Lord Lumley, subscribed a letter to the Scottish Queen, written with Leicester's hand, in which they warmly recommended the match, but insisted, by way of preliminary, on Mary's promise, that she should attempt nothing, in consequence of her pretensions to the English crown, prejudicial to Elizabeth, or to her posterity; that she should consent to a league, offensive and defensive,

between the two kingdoms; that she should confirm the present establishment of religion in Scotland, and receive into favour such of her subjects as had appeared in arms against her. Upon her agreeing to the marriage and ratifying these articles, they engaged that the English nobles would not only concur in restoring her immediately to her own throne, but in securing to her that of England in reversion. Mary readily consented to all these proposals, except the second, with regard to which she demanded some time for consulting her ancient ally the French King[h]. BOOK V. 1569.

The whole of this negotiation was industriously concealed from Elizabeth. Her jealousy of the Scottish Queen was well known, nor could it be expected that she would willingly come into a measure which tended so visibly to save the reputation and to increase the power of her rival. But, in a matter of so much consequence to the nation, the taking a few steps without her knowledge could hardly be reckoned criminal; and while every person concerned, even Mary and Norfolk themselves, declared, that nothing should be concluded without obtaining her consent, the duty and allegiance of subjects seemed to be fully preserved. The greater part of the nobles regarded the matter in this light. Those who conducted the intrigue had further and more dangerous views. They saw the advantages which Mary would obtain by this treaty, to be present and certain; and the execution of the promises which she came under, to be distant and

[h] Anders. vol. iii. 51. Camd. 420.

BOOK V. 1569.

uncertain. They had early communicated their scheme to the Kings of France and Spain, and obtained their approbation[i]. A treaty concerning which they consulted foreign Princes, while they concealed it from their own sovereign, could not be deemed innocent. They hoped, however, that the union of such a number of the chief persons in the kingdom would render it necessary for Elizabeth to comply; they flattered themselves that a combination so strong would be altogether irresistible; and such was their confidence of success, that when a plan was concerted in the north of England for rescuing Mary out of the hands of her keepers, Norfolk, who was afraid that if she recovered her liberty her sentiments in his favour might change, used all his interest to dissuade the conspirators from attempting it[k].

In this situation did the affair remain, when Lord Boyd arrived from England; and, besides the letters which he produced publicly, brought others in cyphers from Norfolk and Throkmorton, to the Regent, and to Maitland. These were full of the most sanguine hopes. All the nobles of England concurred, said they, in favouring the design. Every preliminary was adjusted; nor was it possible that a scheme so deep laid, conducted with so much art, and supported both by power and by numbers, could miscarry, or be defeated in the execution. Nothing now was wanting but the concluding ceremony. It depended on the Regent to hasten that, by procuring a sentence of divorce, which would remove

[i] Anders. vol. iii. 63.

[k] Camd. 420.

the only obstacle that stood in the way. This was expected of him, in consequence of his promise to Norfolk; and if he regarded either his interest or his fame, or even his safety, he would not fail to fulfil these engagements[1]. 1569.

But the Regent was now in very different circumstances from those which had formerly induced him to affect an approbation of Norfolk's schemes. He saw that the downfal of his own power must be the first consequence of the Duke's success; and if the Queen, who considered him as the chief author of all her misfortunes, should recover her ancient authority, he could never expect favour, nor scarce hope for impunity. No wonder he declined a step so fatal to himself, and which would have established the grandeur of another on the ruins of his own. This refusal occasioned a delay. But, as every other circumstance was settled, the Bishop of Ross, in the name of his mistress, and the Duke, in person, declared, in presence of the French ambassador, their mutual consent to the marriage, and a contract to this purpose was signed, and intrusted to the keeping of the ambassador[m].

August 13 Elizabeth discovers the Duke's design, and defeats it.

The intrigue was now in so many hands, that it could not long remain a secret. It began to be whispered at court; and Elizabeth calling the Duke into her presence, expressed the utmost indignation at his conduct, and charged him to lay aside all thoughts of prosecuting such a dangerous design. Soon after Leicester, who perhaps had countenanced

[1] Haynes, 520. Spotsw. 230. See Appendix, No. XXXII.

[m] Carte, vol. iii. 486.

BOOK V. 1569.

the project with no other intention, revealed all the circumstances of it to the Queen. Pembroke, Arundel, Lumley, and Throkmorton, were confined and examined. Mary was watched more narrowly than ever; and Hastings, Earl of Huntingdon, who pretended to dispute with the Scottish Queen her right to the succession, being joined in commission with Shrewsbury, rendered her imprisonment more intolerable by the excess of his vigilance and rigour[n]. The Scottish Regent, threatened with Elizabeth's displeasure, meanly betrayed the Duke; put his letters into her hands, and furnished all the intelligence in his power[o]. The Duke himself retired first to Howard-house, and then, in contempt of the summons to appear before the privy-council, fled to his seat in Norfolk. Intimidated by the imprisonment of his associates; coldly received by his friends in that county; unprepared for a rebellion; and unwilling perhaps to rebel; he hesitated for some days, and at last obeyed a second call, and repaired to Windsor. He was first kept as a prisoner in a private house, and then sent to the Tower. After being confined there upwards of nine months, he was released upon his humble submission to Elizabeth, giving her a promise, on his allegiance, to hold no further correspondence with the Queen of Scots[p]. During the progress of Norfolk's negotiations, the Queen's partisans in Scotland, who made no doubt of their issuing in her restoration to the throne, with an increase of authority, were wonder-

Oct. 3.

[n] Haynes, 525, 526. 530. 532. [o] See Append. No. XXXIII.
[p] Haynes, 525. 597.

fully elevated. Maitland was the soul of that party, and the person whose activity and ability the Regent chiefly dreaded. He had laid the plan of that intrigue which had kindled such combustion in England. He continued to foment the spirit of disaffection in Scotland, and had seduced from the Regent Lord Home, Kirkaldy, and several of his former associates. While he enjoyed liberty, the Regent could not reckon his own power secure. For this reason, having by an artifice allured Maitland to Stirling, he employed Captain Crawford, one of his creatures, to accuse him of being accessary to the murder of the King; and under that pretence he was arrested and carried as a prisoner to Edinburgh. He would soon have been brought to trial, but was saved by the friendship of Kirkaldy, governor of the castle, who, by pretending a warrant for that purpose from the Regent, got him out of the hands of the person to whose care he was committed, and conducted him into the castle, which from that time was entirely under Maitland's command[q]. The loss of a place of so much importance, and the defection of a man so eminent for military skill as Kirkaldy, brought the Regent into some disreputation, for which, however, the success of his ally Elizabeth, about this time, abundantly compensated.

1569. Maitland imprisoned by the Regent.

The intrigue carried on for restoring the Scottish Queen to liberty having been discovered and disappointed, an attempt was made to the same purpose by force of arms; but the issue of it was not more fortunate. The Earls of Northumberland and

A rebellion against Elizabeth by Mary's adherents.

[q] Spotsw. 232.

BOOK V. 1569.

Westmorland, though little distinguished by their personal abilities, were two of the most ancient and powerful of the English peers. Their estates in the northern counties were great, and they possessed that influence over the inhabitants, which was hereditary in the popular and martial families of Percy and of Nevil. They were both attached to the Popish religion, and discontented with the court, where new men and a new system prevailed. Ever since Mary's arrival in England, they had warmly espoused her interest; and zeal for Popery, opposition to the court, and commiseration of her sufferings, had engaged them in different plots for her relief. Notwithstanding the vigilance of her keeper, they held a close correspondence with her, and communicated to her all their designs[r]. They were privy to Norfolk's schemes; but the caution with which he proceeded did not suit their ardour and impetuosity. The liberty of the Scottish Queen was not their sole object. They aimed at bringing about a change in the religion, and a revolution in the government of the kingdom. For this reason they solicited the aid of the King of Spain, the avowed and zealous patron of Popery in that age. Nothing could be more delightful to the restless spirit of Philip, or more necessary towards facilitating his schemes in the Netherlands, than the involving England in the confusion and miseries of a civil war. The Duke of Alva, by his direction, encouraged the two Earls, and promised, as soon as they either took the field with their forces, or

[r] Haynes, 595. Murdin, 44. 62, &c.

surprised any place of strength, or rescued the Queen of Scots, that he would supply them both with money and a strong body of troops. La Mothe, the governor of Dunkirk, in the disguise of a sailor, sounded the ports where it would be most proper to land. And Chiapini Vitelli, one of Alva's ablest officers, was dispatched into England, on pretence of settling some commercial differences between the two nations; but in reality that the rebels might be sure of a leader of experience as soon as they ventured to take arms[s]. BOOK V. 1569.

The conduct of this negotiation occasioned many meetings and messages between the two Earls. Elizabeth was informed of these; and though she suspected nothing of their real design, she concluded that they were among the number of Norfolk's confidents. They were summoned, for this reason, to repair to court. Conscious of guilt, and afraid of discovery, they delayed giving obedience. A second and more peremptory order was issued. This they could not decline, without shaking off their allegiance; and, as no time was left for deliberation, they instantly erected their standard against their sovereign. The re-establishing the Catholic religion; the settling the order of succession to the crown; the defence of the ancient nobility; were the motives which they alleged to justify their rebellion[t]. Many of the lower people flocked to them with such arms as they could procure; and, had the capacity of their leaders been in any degree equal to Defeated. Nov. 9.

[s] Carte, vol. iii. 489, 490. Camd. 421.

[t] Strype, vol. i. 547.

BOOK V. 1569.

the enterprise, it must have soon grown to be extremely formidable. Elizabeth acted with prudence and vigour, and was served by her subjects with fidelity and ardour. On the first rumour of an insurrection, Mary was removed to Coventry, a place of strength, which could not be taken without a regular siege; a detachment of the rebels, which was sent to rescue her, returned without success. Troops were assembled in different parts of the kingdom; as they advanced, the malcontents retired. In their retreat their numbers dwindled away, and their spirits sunk. Despair and uncertainty whither to direct their flight, kept together for some time a small body of them among the mountains of Northumberland; but they were at length obliged to disperse, and the chiefs took refuge among the Scottish borderers. Dec. 21. The two Earls, together with the Countess of Northumberland, wandering for some days in the wastes of Liddisdale, were plundered by the banditti, exposed to the rigour of the season, and left destitute of the necessaries of life. Westmorland was concealed by Scott of Buccleugh and Ker of Ferniherst, and afterwards conveyed into the Netherlands. Northumberland was seized by the Regent, who had marched with some troops towards the borders, to prevent any impression the rebels might make on those mutinous provinces[u].

Church affairs.

Amidst so many surprising events, the affairs of the church, for two years, have almost escaped our notice. Its general assemblies were held regularly; but no business of much importance employed their

[u] Cabbala, 171. Camd. 422.

attention. As the number of the Protestant clergy daily increased, the deficiency of the funds set apart for their subsistence became greater, and was more sensibly felt. Many efforts were made towards recovering the ancient patrimony of the church, or at least as much of it as was possessed by the Popish incumbents, a race of men who were now not only useless but burdensome to the nation. But though the manner in which the Regent received the addresses and complaints of the general assemblies, was very different from that to which they had been accustomed, no effectual remedy was provided; and while they suffered intolerable oppression, and groaned under extreme poverty, fair words and liberal promises were all they were able to obtain[x]. BOOK V. 1569.

Elizabeth now began to be weary of keeping such a prisoner as the Queen of Scots. During the former year, the tranquillity of her government had been disturbed, first by a secret combination of some of her nobles, then by the rebellion of others; and she often declared, not without reason, that Mary was the *hidden cause* of both. Many of her own subjects favoured or pitied the captive Queen; the Roman Catholic Princes on the Continent were warmly interested in her cause. The detaining her any longer in England, she foresaw, would be made the pretext or occasion of perpetual cabals and insurrections among the former; and might expose her to the hostile attempts of the latter. She resolved, therefore, to give up Mary into the hands of the Regent, after stipulating with him, not only that her 1570. Elizabeth resolves to give up Mary to the Regent.

[x] Cald. vol. ii. 80, &c.

BOOK V. 1570.

days should not be cut short, either by a judicial sentence or by secret violence, but that she should be treated in a manner suited to her rank; and, in order to secure his observance of this, she required that six of the chief noblemen in the kingdom should be sent into England as hostages[y]. With respect to the safe custody of the Queen, she relied on Murray's vigilance, whose security, no less than her own, depended on preventing Mary from re-ascending the throne. The negotiation for this purpose was carried some length, when it was discovered by the vigilance of the Bishop of Ross, who, together with the French and Spanish ambassadors, remonstrated against the infamy of such an action, and represented the surrendering the Queen to her rebellious subjects, to be the same thing as if Elizabeth should, by her own authority, condemn her to instant death. This procured a delay; and the murder of the Regent prevented the revival of that design[z].

But he is murdered.

Hamilton of Bothwellhaugh was the person who committed this barbarous action. He had been condemned to death soon after the battle of Langside, as I have already related, and owed his life to the Regent's clemency. But part of his estate had been bestowed upon one of the Regent's favourites, who seized his house, and turned out his wife naked, in a cold night, into the open fields, where, before next morning, she became furiously mad. This injury made a deeper impression upon him than

[y] Haynes, 524.

[z] Carte, vol. iii. 491. Anders. vol. iii. 84.

the benefit which he had received, and from that moment he vowed to be revenged upon the Regent. Party-rage strengthened and inflamed his private resentment. His kinsmen, the Hamiltons, applauded the enterprise. The maxims of that age justified the most desperate course which he could take to obtain vengeance. He followed the Regent for some time, and watched for an opportunity to strike the blow. He resolved at last to wait till his enemy should arrive at Linlithgow, through which he was to pass in his way from Stirling to Edinburgh. He took his stand in a wooden gallery, which had a window towards the street; spread a feather-bed on the floor, to hinder the noise of his feet from being heard; hung up a black cloth behind him, that his shadow might not be observed from without; and after all this preparation, calmly expected the Regent's approach, who had lodged during the night in a part of the town not far distant. Some indistinct information of the danger which threatened him had been conveyed to the Regent, and he paid so much regard to it, that he resolved to return by the same gate through which he had entered, and to fetch a compass round the town. But as the crowd about the gate was great, and he himself unacquainted with fear, he proceeded directly along the street; and, the throng of the people obliging him to move very slowly, gave the assassin time to take so true an aim, that he shot him with a single bullet through the lower part of his belly, and killed the horse of a gentleman who rode on his other side. His followers instantly endeavoured to break into the house whence the blow

1570.

BOOK V. 1570.

had come, but they found the door strongly barricaded; and before it could be forced open, Hamilton had mounted a fleet horse, which stood ready for him at a back-passage, and was got far beyond their reach. The Regent died the same night of his wound[a].

His character.

There is no person in that age about whom historians have been more divided, or whose character has been drawn in such opposite colours. Personal intrepidity, military skill, sagacity, and vigour in the administration of civil affairs, are virtues which even his enemies allow him to have possessed in an eminent degree. His moral qualities are more dubious, and ought neither to be praised nor censured without great reserve, and many distinctions. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning, which, among martial nobles, was either unknown or despised. Zealous for religion, to a degree which distinguished him even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only in his liberality towards them, which knew no bounds. A disinterested passion for the liberty of his country, prompted him to oppose the pernicious system which the Princes of Lorrain had obliged the Queen-mother to pursue. On Mary's return into Scotland, he served her with a zeal and affection, to which he sacrificed the friendship of those who were most attached to his person. But, on the other

[a] Buchan. 385. Crawf. Mem. 124. Cabbala, 171.

hand, his ambition was immoderate; and events happened that opened to him vast projects, which allured his enterprising genius, and led him to actions inconsistent with the duty of a subject. His treatment of the Queen, to whose bounty he was so much indebted, was unbrotherly and ungrateful. The dependence on Elizabeth, under which he brought Scotland, was disgraceful to the nation. He deceived and betrayed Norfolk with a baseness unworthy of a man of honour. His elevation to such unexpected dignity inspired him with new passions, with haughtiness and reserve; and instead of his natural manner, which was blunt and open, he affected the arts of dissimulation and refinement. Fond, towards the end of his life, of flattery, and impatient of advice, his creatures, by soothing his vanity, led him astray, while his ancient friends stood at a distance, and predicted his approaching fall. But amidst the turbulence and confusion of that factious period, he dispensed justice with so much impartiality, he repressed the licentious borderers with so much courage, and established such uncommon order and tranquillity in the country, that his administration was extremely popular, and he was long and affectionately remembered among the commons, by the name of the *Good Regent*. 1570.

THE

HISTORY

OF

SCOTLAND.

BOOK VI.

BOOK VI.

1570. Disorders occasioned by the Regent's death.

THE unexpected blow, by which the Regent was cut off, struck the King's party with the utmost consternation. Elizabeth bewailed his death as the most fatal disaster which could have befallen her kingdom; and was inconsolable to a degree that little suited her dignity. Mary's adherents exulted, as if now her restoration were not only certain, but near at hand. The infamy of the crime naturally fell on those who expressed such indecent joy at the commission of it; and, as the assassin made his escape on a horse which belonged to Lord Claud Hamilton, and fled directly to Hamilton, where he was received in triumph, it was concluded that the Regent had fallen a sacrifice to the resentment of the Queen's party, rather than to the revenge of a private man. On the day after the murder, Scott of Buccleugh, and Ker of Ferniherst, both zealous abettors of the Queen's cause, entered

England in an hostile manner, and plundered and burnt the country, the inhabitants of which expected no such outrage. If the Regent had been alive, they would scarce have ventured on such an irregular incursion, nor could it well have happened so soon after his death, unless they had been privy to the crime. BOOK VI. 1570.

This was not the only irregularity to which the anarchy that followed the Regent's death gave occasion. During such general confusion, men hoped for universal impunity, and broke out into excesses of every kind. As it was impossible to restrain these without a settled form of government, a convention of the nobles was held, in order to deliberate concerning the election of a Regent. The Queen's adherents refused to be present at the meeting, and protested against its proceedings. The King's own party was irresolute, and divided in opinion. Maitland, whom Kirkaldy had set at liberty, and who obtained from the nobles then assembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by proposing to admit the Queen to the joint administration of government with her son. Elizabeth, adhering to her ancient system with regard to Scottish affairs, laboured, notwithstanding the solicitations of Mary's friends[a], to multiply and to perpetuate the factions which tore in pieces the kingdom. Randolph, whom she dispatched into Scotland on the first news of the Regent's death, and who was

Steps taken towards electing another Regent. Feb. 12.

[a] See Appendix, No. XXXIV.

BOOK VI. 1570.

her usual agent for such services, found all parties so exasperated by mutual injuries, and so full of irreconcileable rancour, that it cost him little trouble to inflame their animosity. The convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited, was appointed on the first of May[b].

A coalition of parties attempted in vain.

Meantime, Maitland and Kirkaldy, who still continued to acknowledge the King's authority, were at the utmost pains to restore some degree of harmony among their countrymen. They procured for this purpose an amicable conference among the leaders of the two factions. But while the one demanded the restoration of the Queen, as the only thing which could re-establish the public tranquillity; while the other esteemed the King's authority to be so sacred, that it was on no account to be called in question or impaired; and neither of them would recede in the least point from their opinions, they separated without any prospect of concord. Both were rendered more averse from reconcilement, by the hope of foreign aid. An envoy arrived from France with promises of powerful succour to the Queen's adherents; and, as the civil wars in that kingdom seemed to be on the point of terminating in peace, it was expected that Charles would soon be at liberty to fulfil what he promised. On the other hand, the Earl of Sussex was assembling a powerful army on the borders, and its operations could not fail of adding spirit and strength to the King's party[c].

[b] Crawf. Mem. 131. Calderw. ii. 157. [c] Crawf. Mem. 134.

Though the attempt towards a coalition of the factions proved ineffectual, it contributed somewhat to moderate or suspend their rage; but they soon began to act with their usual violence. Morton, the most vigilant and able leader on the King's side, solicited Elizabeth to interpose, without delay, for the safety of a party so devoted to her interest, and which stood so much in need of her assistance. The chiefs of the Queen's faction, assembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both governor of the castle and provost of the town, prevailed on the citizens, though with some difficulty, to admit them within the gates. Together with Kirkaldy, the Earl of Athole, and Maitland, acceded almost openly to their party; and the Duke and Lord Herries having recovered liberty by Kirkaldy's favour, resumed the places which they had formerly held in their councils. Encouraged by the acquisition of persons so illustrious by their birth, or so eminent for their abilities, they published a proclamation, declaring their intention to support the Queen's authority, and seemed resolved not to leave the city before the meeting of the approaching convention, in which, by their numbers and influence, they did not doubt of securing a majority of voices on their side[d].

1570. Queen's party in possession of Edinburgh. April 10.

At the same time they had formed a design of kindling war between the two kingdoms. If they could engage them in hostilities, and revive their ancient emulation and antipathy, they hoped not

Endeavour to involve the nation in a war with England.

[d] Ibid. 137. Cald. ii. 176.

BOOK VI. 1570.

only to dissolve a confederacy of great advantage to the King's cause, but to reconcile their countrymen to the Qeeen, Elizabeth's natural and most dangerous rival. With this view they had, immediately after the murder of the Regent, prompted Scott and Ker to commence hostilities, and had since instigated them to continue and extend their depredations. As Elizabeth foresaw, on the one hand, the dangerous consequences of rendering this a national quarrel; and resolved, on the other, not to suffer such an insult on her government to pass with impunity; she issued a proclamation, declaring that she imputed the outrages which had been committed on the borders not to the Scottish nation, but to a few desperate and ill-designing persons; that with the former she was resolved to maintain an inviolable friendship, whereas the duty which she owed to her own subjects obliged her to chastise the licentiousness of the latter[e]. Sussex and Scrope accordingly entered Scotland, the one on the east, the other on the west borders, and laid waste the adjacent countries with fire and sword[f]. Fame magnified the number and progress of their troops; and Mary's adherents, not thinking themselves safe in Edinburgh, the inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, by a public proclamation, they asserted the Queen's authority, and forbad giving obedience to any but the Duke, or the Earls of Argyll and Huntly, whom she had constituted her lieutenants in the kingdom.

April 28.

The nobles who continued faithful to the King,

[e] Calderw. ii. 181. [f] Cabbala, 174.

though considerably weakened by the defection of so many of their friends, assembled at Edinburgh on the day appointed. They issued a counter-proclamation, declaring such as appeared for the Queen enemies of their country; and charging them with the murder both of the late King and of the Regent. They could not, however, presume so much on their own strength as to venture either to elect a Regent, or to take the field against the Queen's party; but the assistance which they received from Elizabeth enabled them to do both. By her order Sir William Drury marched into Scotland with a thousand foot and three hundred horse; the King's adherents joined him with a considerable body of troops; and advancing towards Glasgow, where the adverse party had already begun hostilities by attacking the castle, they forced them to retire, plundered the neighbouring country, which belonged to the Hamiltons, and, after seizing some of their castles, and rasing others, returned to Edinburgh.

1570. King's party enter Edinburgh, May 1.

Under Drury's protection, the Earl of Lennox returned into Scotland. It was natural to commit the government of the kingdom to him during the minority of his grandson. His illustrious birth, and alliance with the royal family of England as well as of Scotland, rendered him worthy of that honour. His resentment against Mary being implacable, and his estate lying in England, and his family residing there, Elizabeth considered him as a man, who, both from inclination and from interest, would act in concert with her, and ardently wished that he might succeed Murray in the office of Regent. But, on many accounts, she did not think it prudent to

Motives of Elizabeth's conduct with regard to them.

BOOK VI. 1570. discover her own sentiments, or to favour his pretensions too openly. The civil wars in France, which had been excited partly by real and partly by pretended zeal for religion, and carried on with a fierceness that did it real dishonour, appeared now to be on the point of coming to an issue; and after shedding the best blood and wasting the richest provinces in the kingdom, both parties desired peace with an ardour that facilitated the negotiations which were carrying on for that purpose. Charles IX. was known to be a passionate admirer of Mary's beauty. Nor could he, in honour, suffer a Queen of France, and the most ancient ally of his crown, to languish in her present cruel situation without attempting to procure her relief. He had hitherto been obliged to satisfy himself with remonstrating, by his ambassadors, against the indignity with which she had been treated. But if he were once at full liberty to pursue his inclinations, Elizabeth would have every thing to dread from the impetuosity of his temper and the power of his arms. It therefore became necessary for her to act with some reserve, and not to appear avowedly to countenance the choice of a Regent, in contempt of Mary's authority. The jealousy and prejudices of the Scots required no less management. Had she openly supported Lennox's claim; had she recommended him to the convention, as the candidate of whom she approved; this might have roused the independent spirit of the nobles, and by too plain a discovery of her intention she might have defeated its success. For these reasons she hesitated long, and returned ambiguous answers to all the messages which she

received from the King's party. A more explicit declaration of her sentiments was at last obtained, and an event of an extraordinary nature seems to have been the occasion of it. Pope Pius V. having issued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and absolved her subjects from their oath of allegiance, Felton, an Englishman, had the boldness to affix it on the gates of the Bishop of London's palace. In former ages, a Pope, moved by his own ambition, or pride, or bigotry, denounced this fatal sentence against the most powerful monarchs; but as the authority of the court of Rome was now less regarded, its proceedings were more cautious; and it was only when they were roused by some powerful Prince that the thunders of the church were ever heard. Elizabeth, therefore, imputed this step, which the Pope had taken, to a combination of the Roman Catholic Princes against her, and suspected that some plot was formed in favour of the Scottish Queen. In that event, she knew that the safety of her own kingdom depended on preserving her influence in Scotland; and in order to strengthen this, she renewed her promises of protecting the King's adherents, encouraged them to proceed to the election of a Regent, and even ventured to point out the Earl of Lennox as the person who had the best title. That honour was accordingly conferred upon him in a convention of the whole party held on the 12th of July[s].

1570.

The Regent's first care was to prevent the meet-

[s] Spotsw. 240. Cald. ii. 186. See Appendix, No. XXXV.

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ing of the parliament, which the Queen's party had summoned to convene at Linlithgow. Having effected that, he marched against the Earl of Huntly, Mary's lieutenant in the north, and forced the garrison which he had placed in Brechin to surrender at discretion. Soon after, he made himself master of some other castles. Emboldened by this successful beginning of his administration, as well as by the appearance of a considerable army, with which the Earl of Sussex hovered on the borders, he deprived Maitland of his office of secretary, and proclaimed him, the Duke, Huntly, and other leaders of the Queen's party, traitors and enemies of their country[h].

Lennox elected Regent.

Mary's adherents negotiate with Spain.

In this desperate situation of their affairs, the Queen's adherents had recourse to the King of Spain[i], with whom Mary had held a close correspondence ever since her confinement in England. They prevailed on the Duke of Alva to send two of his officers to take a view of the country, and to examine its coasts and harbours; and obtained from them a small supply of money and arms, which were sent to the Earl of Huntly[k]. But this aid, so disproportionate to their exigencies, would have availed them little. They were indebted for their safety to a treaty which Elizabeth was carrying on, under colour of restoring the captive Queen to her throne. The first steps in this negotiation had been taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman

Elizabeth proposes a treaty of accommodation between Mary and her subjects.

[h] Crawf. Mem. 159. Cald. ii. 198.
[i] See Append. No. XXXVI.
[k] Anders. iii. 122. Crawf. Mem. 153.

Catholics and Hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his sister-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the solicitations of foreign ambassadors in her favour, and seemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a cessation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused for some time to come into this measure. It was not safe for him, however, to dispute the will of his protectress. A cessation of hostilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the first of April next year[1].

Soon after, Elizabeth dispatched Cecil and Sir Walter Mildmay to the Queen of Scots. The dignity of these ambassadors, the former her prime minister, the latter chancellor of the exchequer, and one of her ablest counsellors, convinced all parties that the negotiation was serious, and the hour of Mary's liberty was now approaching. The propositions which they made to her were advantageous to Elizabeth, but such as a Prince in Mary's situation had reason to expect. The ratification of the

[1] Spotsw. 243.

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treaty of Edinburgh; the renouncing any pretensions to the English crown, during Elizabeth's own life, or that of her posterity; the adhering to the alliance between the two kingdoms; the pardoning her subjects who had taken arms against her; and her promising to hold no correspondence, and to countenance no enterprise, that might disturb Elizabeth's government; were among the chief articles. By way of security for the accomplishment of these, they demanded that some persons of rank should be given as hostages, that the Prince her son should reside in England, and that a few castles on the border should be put into Elizabeth's hands. To some of these propositions Mary consented; some she endeavoured to mitigate; and others she attempted to evade. In the mean time, she transmitted copies of them to the Pope, to the Kings of France and Spain, and to the Duke of Alva. She insinuated, that without some timely and vigorous interposition in her behalf, she would be obliged to accept of these hard conditions, and to purchase liberty at any price. But the Pope was a distant and feeble ally, and by his great efforts at this time against the Turks, his treasury was entirely exhausted. Charles had already begun to meditate that conspiracy against the Hugonots, which marks his reign with such infamy; and it required much leisure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired so much renown to the Christian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an insurrection; and his subjects in the Nether-

lands, provoked by much oppression and many indignities, were breaking out into open rebellion. All of them, for these different reasons, advised Mary, without depending on their aid, to conclude the treaty on the best terms she could procure[m]. BOOK VI. 1570.

Mary accordingly consented to many of Elizabeth's demands, and discovered a facility of disposition which promised still further concessions. But no concession she could have made would have satisfied Elizabeth, who, in spite of her repeated professions of sincerity to foreign ambassadors, and notwithstanding the solemnity with which she carried on the treaty, had no other object in it than to amuse Mary's allies, and to gain time[n]. After having so long treated a Queen, who fled to her for refuge, in so ungenerous a manner, she could not now dismiss her with safety. Under all the disadvantages of a rigorous confinement, Mary had found means to excite commotions in England which were extremely formidable. What desperate effects of her just resentment might be expected, if she were set at liberty, and recovered her former power? What engagements could bind her not to revenge the wrongs which she had suffered, nor to take advantage of the favourable conjunctures that might present themselves? Was it possible for her to give such security for her behaviour, in times to come, as might remove all suspicions and fears? And was there not good cause to conclude, that no future benefits could ever obliterate the memory of past injuries? It was thus Elizabeth

Elizabeth's artifices in the conduct of it.

[m] Anders. vol. iii. 119, 120. [n] Digges, Compl. Amb. 78.

BOOK VI. reasoned; though she continued to act as if her views had been entirely different. She appointed
1570. seven of her privy counsellors to be commissioners for settling the articles of the treaty; and as Mary had already named the Bishops of Ross and Galloway, and Lord Livingston, for her ambassadors, she required the Regent to empower proper per-
1571. sons to appear in behalf of the King. The Earl of Morton, Pitcairn abbot of Dumfermling, and Sir James Macgil, were the persons chosen by the Regent. They prepared for their journey as slowly as
Feb. 19. Elizabeth herself could have wished. At length they arrived at London, and met the commissioners of the two Queens. Mary's ambassadors discovered the strongest inclination to comply with every thing that would remove the obstacles which stood in the way of their mistress's liberty. But when Morton and his associates were called upon to vindicate their conduct, and to explain the sentiments of their party, they began, in justification of their treatment of the Queen, to advance such maxims concerning the limited powers of Princes, and the natural right of subjects to resist and to controul them, as were extremely shocking to Elizabeth, whose notions of regal prerogative, as has been formerly observed, were very exalted. With regard to the authority which the King now possessed, they declared they neither had, nor could possibly receive, instructions to consent to any treaty that tended to subvert or even to impair it in the least degree[o]. Nothing could be more trifling and ridiculous than such a

[o] Cald. ii. 234. Digges, 51. Haynes, 523, 524.

reply from the commissioners of the King of Scots to the Queen of England. His party depended absolutely on her protection; it was by persons devoted to her he had been seated on the throne, and to her power he owed the continuance of his reign. With the utmost ease she could have brought them to hold very different language; and whatever conditions she might have thought fit to subscribe, they would have had no other choice but to submit. This declaration, however, she affected to consider as an insuperable difficulty; and finding that there was no reason to dread any danger from the French King, who had not discovered that eagerness in support of Mary which was expected, the reply made by Morton furnished her with a pretence for putting a stop to the negotiation, until the Regent should send ambassadors with more ample powers. Thus, after being amused for ten months with the hopes of liberty, the unhappy Queen of Scots remained under stricter custody than ever, and without any prospect of escaping from it; while those subjects who still adhered to her were exposed, without ally or protector, to the rage of enemies, whom their success in this negotiation rendered still more insolent[p].

1571. It proves fruitless. March 24.

On the day after the expiration of the truce, which had been observed with little exactness on either side, Captain Crawford of Jordan-hill, a gallant and enterprising officer, performed a service of great importance to the Regent, by surprising the castle of Dumbarton. This was the only for-

Dumbarton castle surprised by the Regent.

[p] Anders. iii. 91, &c.

BOOK VI. 1571.

tified place in the kingdom, of which the Queen had kept possession ever since the commencement of the civil wars. Its situation, on the top of an high and almost inaccessible rock which rises in the middle of a plain, rendered it extremely strong, and, in the opinion of that age, impregnable: as it commanded the river Clyde, it was of great consequence, and was deemed the most proper place in the kingdom for landing any foreign troops that might come to Mary's aid. The strength of the place rendered Lord Fleming, the governor, more secure than he ought to have been, considering its importance. A soldier who had served in the garrison, and had been disgusted by some ill usage, proposed the scheme to the Regent, endeavoured to demonstrate that it was practicable, and offered himself to go the foremost man on the enterprise. It was thought prudent to risk any danger for so great a prize. Scaling-ladders, and whatever else might be necessary, were prepared with the utmost secrecy and dispatch. All the avenues to the castle were seized, that no intelligence of the design might reach the governor. Towards evening Crawford marched from Glasgow with a small but determined band. By midnight they arrived at the bottom of the rock. The moon was set, and the sky, which had hitherto been extremely clear, was covered with a thick fog. It was where the rock was highest that the assailants made their attempt, because in that place there were few sentinels, and they hoped to find them least alert. The first ladder was scarcely fixed, when the weight and eagerness of those who mounted brought it to the

ground. None of the assailants were hurt by the fall, and none of the garrison alarmed at the noise. Their guide and Crawford scrambled up the rock, and fastened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmost difficulty, but were still at a great distance from the foot of the wall. Their ladder was made fast a second time; but in the middle of the ascent they met with an unforeseen difficulty. One of their companions was seized with some sudden fit, and clung, seemingly without life, to the ladder. All were at a stand. It was impossible to pass him. To tumble him headlong was cruel; and might occasion a discovery. But Crawford's presence of mind did not forsake him. He ordered the soldier to be bound fast to the ladder, that he might not fall when the fit was over; and turning the other side of the ladder, they mounted with ease over his belly. Day now began to break, and there still remained a high wall to scale; but after surmounting so many great difficulties, this was soon accomplished. A sentry observed the first man who appeared on the parapet, and had just time to give the alarm, before he was knocked on the head. The officers and soldiers of the garrison ran out naked, unarmed, and more solicitous about their own safety, than capable of making resistance. The assailants rushed forwards, with repeated shouts and with the utmost fury; took possession of the magazine; seized the cannon, and turned them against their enemies. Lord Fleming got into a small boat, and fled all alone into Argyll-

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BOOK VI. 1571.

shire. Crawford, in reward of his valour and good conduct, remained master of the castle; and as he did not lose a single man in the enterprise, he enjoyed his success with unmixed pleasure. Lady Fleming, Verac the French envoy, and Hamilton, Archbishop of St. Andrew's, were the prisoners of greatest distinction[q].

Archbishop of St. Andrew's put to death by him.

Verac's character protected him from the usage which he merited by his activity in stirring up enemies against the King. The Regent treated the lady with great politeness and humanity. But a very different fate awaited the Archbishop; he was carried under a strong guard to Stirling; and as he had formerly been attainted by act of parliament, he was, without any formal trial, condemned to be hanged; and on the fourth day after he was taken, the sentence was executed. An attempt was made to convict him of being accessary to the murder both of the King and Regent, but these accusations were supported by no proof. Our historians observe, that he was the first Bishop in Scotland who died by the hands of the executioner. The high offices he had enjoyed, both in church and state, ought to have exempted him from a punishment inflicted only on the lowest criminals. But his zeal for the Queen, his abilities, and his profession, rendered him odious and formidable to the King's adherents. Lennox hated him as the person by whose counsels the reputation and power of the house of Hamilton were supported. Party

[q] Buchan. 394.

rage and personal enmity dictated that indecent sentence, for which some colour was sought by imputing to him such odious crimes[r]. BOOK VI. 1571.

The loss of Dumbarton, and the severe treatment of the Archbishop, perplexed no less than they enraged the Queen's party; and hostilities were renewed with all the fierceness which disappointment and indignation can inspire. Kirkaldy, who, during the truce, had taken care to increase the number of his garrison, and to provide every thing necessary for his defence, issued a proclamation declaring Lennox's authority to be unlawful and usurped; commanded all who favoured his cause to leave the town within six hours; seized the arms belonging to the citizens; planted a battery on the steeple of St. Giles's, repaired the walls, and fortified the gates of the city; and, though the affections of the inhabitants leaned a different way, held out the metropolis against the Regent. The Duke, Huntly, Home, Herries, and other chiefs of that faction, repaired to Edinburgh with their followers; and, having received a small sum of money and some ammunition from France, formed no contemptible army within the walls. On the other side, Morton seized Leith and fortified it; and the Regent joined him with a considerable body of men. While the armies lay so near each other, daily skirmishes happened, and with various success. The Queen's party was not strong enough to take the field against the Regent, nor was his superiority so great as to undertake the siege of the castle or of the town[s]. Kirkaldy defends the castle of Edinburgh in the Queen's name.

[r] Spotswood, 252.

[s] Calderwood, 233, &c.

BOOK VI.

1571.

Both parties hold parliaments. May 14.

Some time before Edinburgh fell into the hands of his enemies, the Regent had summoned a parliament to meet in that place. In order to prevent any objection against the lawfulness of the meeting, the members obeyed the proclamation as exactly as possible, and assembled in a house at the head of the Cannongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himself to the utmost to interrupt their meeting; but they were so strongly guarded, that all efforts were vain. They passed an act attainting Maitland and a few others, and then adjourned to the 28th of August[t].

The other party, in order that their proceedings might be countenanced by the same show of legal authority, held a meeting of parliament soon after. There was produced in this assembly a declaration by the Queen of the invalidity of that deed whereby she had resigned the crown, and consented to the coronation of her son. Conformable to this declaration, an act was passed pronouncing the resignation to have been extorted by fear; to be null in itself, and in all its consequences; and enjoining all good subjects to acknowledge the Queen alone to be their lawful sovereign, and to support those who acted in her name. The present establishment of the Protestant religion was confirmed by another statute; and, in imitation of the adverse party, a new meeting was appointed on the 26th of August[u].

Meanwhile all the miseries of civil war desolated

[t] Crawf. Mem. 177. [u] Id. ibid.

the kingdom. Fellow-citizens, friends, brothers took different sides, and ranged themselves under the standards of the contending factions. In every county, and almost in every town and village, *King's men* and *Queen's men* were names of distinction. Political hatred dissolved all natural ties, and extinguished the reciprocal good will and confidence which holds mankind together in society. Religious zeal mingled itself with these civil distinctions, and contributed not a little to heighten and to inflame them.

BOOK VI. 1571. Miserable condition of the kingdom.

The factions which divided the kingdom were, in appearance, only two; but in both these there were persons with views and principles so different from each other, that they ought to be distinguished. With some, considerations of religion were predominant, and they either adhered to the Queen, because they hoped by her means to re-establish Popery, or they defended the King's authority, as the best support of the Protestant faith. Among these the opposition was violent and irreconcileable. Others were influenced by political motives only, or allured by views of interest: the Regent aimed at uniting these, and did not despair of gaining, by gentle arts, many of Mary's adherents to acknowledge the King's authority. Maitland and Kirkaldy had formed the same design of a coalition, but on such terms that the Queen might be restored to some share in the government, and the kingdom shake off its dependence upon England. Morton, the ablest, the most ambitious, and the most powerful man of the King's party, held a particular course; and, moving only as he was prompted by the court of

State of factions.

BOOK VI. 1571. England, thwarted every measure that tended towards a reconcilement of the factions; and as he served Elizabeth with much fidelity, he derived both power and credit from her avowed protection.

The time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two bishops appeared in that which was held in the Queen's name at Edinburgh. But, contemptible as their numbers were, they passed an act for attainting upwards of two hundred of the adverse faction. The meeting at Stirling was numerous and splendid. The Regent had prevailed on the Earls of Argyll, Eglinton, Cassils, and Lord Boyd, to acknowledge the King's authority. The three Earls were among the most powerful noblemen in the kingdom, and had hitherto been zealous in the Queen's cause. Lord Boyd had been one of Mary's commissioners at York and Westminster, and since that time had been admitted into all her most secret councils. But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied so often, that the sense of honour, a chief preservative of consistence in character, was entirely lost; and, without any regard to decorum, men suddenly abandoned one party, and adopted all the violent passions of the other. The defection, however, of so many persons of distinction, not only weakened the Queen's party, but added reputation to her adversaries.

The King's party surprised in Stirling.

After the example of the parliament at Edinburgh, that at Stirling began with framing acts against the opposite faction. But in the midst of all the security, which confidence in their own num-

bers or distance from danger could inspire, they were awakened early in the morning of September the third by the shouts of the enemy in the heart of the town. In a moment the houses of every person of distinction were surrounded, and before they knew what to think of so strange an event, the Regent, the Earls of Argyll, Morton, Glencairn, Cassils, Eglinton, Montrose, Buchan, the Lords Sempil, Cathcart, Ogilvie, were all made prisoners, and mounted behind troopers, who were ready to carry them to Edinburgh. Kirkaldy was the author of this daring enterprise; and if he had not been induced, by the ill-timed solicitude of his friends about his safety, not to hazard his own person in conducting it, that day might have terminated the contest between the two factions, and have restored peace to his country. By his direction four hundred men, under the command of Huntly, Lord Claud Hamilton, and Scott of Buccleugh, set out from Edinburgh, and, the better to conceal their design, marched towards the south. But they soon wheeled to the right, and, horses having been provided for the infantry, rode straight to Stirling. By four in the morning they arrived there; not one sentry was posted on the walls, not a single man was awake about the place. They met with no resistance from any person whom they attempted to seize, except Morton. He defending his house with obstinate valour, they were obliged to set it on fire, and he did not surrender till forced out of it by the flames. In performing this, some time was consumed; and the private men, unaccustomed to regular discipline, left their colours, and began to

BOOK VI. 1571, Sept. 3.

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rifle the houses and shops of the citizens. The noise and uproar in the town reached the castle. The Earl of Mar sallied out with thirty soldiers, fired briskly upon the enemy, of whom almost none but the officers kept together in a body. The townsmen took arms to assist their governor; a sudden panic struck the assailants; some fled, some surrendered themselves to their own prisoners; and had not the borderers, who followed Scott, prevented a pursuit, by carrying off all the horses within the place, not a man would have escaped. If the Regent had not unfortunately been killed, the loss on the King's side would have been as inconsiderable as the alarm was great. *Think on the Archbishop of St. Andrew's*, was the word among the Queen's soldiers; and Lennox fell a sacrifice to his memory. The officer to whom he surrendered, endeavouring to protect him, lost his own life in his defence. He was slain, according to the general opinion, by command of Lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great secrecy and prudence; but Morton's fortunate obstinacy, and the want of discipline among his troops, deprived him of success, the only thing wanting to render this equal to the most applauded military enterprises of the kind[x].

The Regent killed.

Mar chosen Regent. Sept. 6.

As so many of the nobles were assembled, they proceeded without delay to the election of a Regent. Argyll, Morton, and Mar, were candidates for the office. Mar was chosen by a majority of voices. Amidst all the fierce dissentions which had prevailed

[x] Melv. 226. Crawf. Mem. 204.

so long in Scotland, he had distinguished himself by his moderation, his humanity, and his disinterestedness. As his power was far inferior to Argyll's, and his abilities not so great as Morton's, he was, for these reasons, less formidable to the other nobles. His merit, too, in having so lately rescued the leaders of the party from imminent destruction, contributed not a little to his preferment. BOOK VI. 1571.

While these things were carrying on in Scotland, the transactions in England were no less interesting to Mary, and still more fatal to her cause. The parliament of that kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the crown during the life of the Queen; to affirm that the title of any other person was better than hers, or to maintain that the parliament had not power to settle and to limit the order of succession. This remarkable statute was intended not only for the security of their own sovereign, but to curb the restless and intriguing spirit of the Scottish Queen and her adherents[y]. Proceedings in England against Mary.

At this time a treaty of marriage between Elizabeth and the Duke of Anjou, the French King's brother, was well advanced. Both courts seemed to desire it with equal ardour, and gave out, with the utmost confidence, that it could not fail of taking place. Neither of them, however, wished it success; and they encouraged it for no other end, but because it served to cover or to promote their particular designs. The whole policy of Catherine of Marriage negotiated between Elizabeth and the Duke of Anjou.

[y] Camd. 436.

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Medicis was bent towards the accomplishment of her detestable project for the destruction of the Hugonot chiefs; and by carrying on a negotiation for the marriage of her son with a Princess who was justly esteemed the protectress of that party, by yielding some things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the Protestants in Europe, and to lull asleep the jealousy even of the Hugonots themselves. Elizabeth flattered herself with reaping advantages of another kind. During the dependence of the negotiation, the French could not with decency give any open assistance to the Scottish Queen: if they conceived any hopes of success in the treaty of marriage, they would of course interest themselves but coldly in her concerns; Mary herself must be dejected at losing an ally, whom she had hitherto reckoned her most powerful protector; and, by interrupting her correspondence with France, one source, at least, of the cabals and intrigues which disturbed the kingdom would be stopt. Both Queens succeeded in their schemes. Catherine's artifices imposed upon Elizabeth, and blinded the Hugonots. The French discovered the utmost indifference about the interest of the Scottish Queen; and Mary, considering that court as already united with her rival, turned for protection with more eagerness than ever towards the King of Spain[z]. Philip, whose dark and thoughtful mind delighted in the mystery of intrigue, had held a secret correspondence with Mary for some time, by

[z] Digges, 144. 148. Camd. 434.

means of the Bishop of Ross, and had supplied both herself and her adherents in Scotland with small sums of money. Ridolphi, a Florentine gentleman, who resided at London under the character of a banker, and who acted privately as an agent for the Pope, was the person whom the bishop intrusted with this negotiation. Mary thought it necessary likewise to communicate the secret to the Duke of Norfolk, whom Elizabeth had lately restored to liberty, upon his solemn promise to have no further intercourse with the Queen of Scots. This promise, however, he regarded so little, that he continued to keep a constant correspondence with the captive Queen; while she laboured to nourish his ambitious hopes, and to strengthen his amorous attachment by letters written in the fondest caressing strain. Some of these he must have received at the very time when he made that solemn promise of holding no further intercourse with her, in consequence of which Elizabeth restored him to liberty. Mary, still considering him as her future husband, took no step in any matter of moment without his advice. She early communicated to him her negotiations with Ridolphi; and in a long letter, which she wrote to him in cyphers[a], after complaining of the baseness with which the French court had abandoned her interest, she declared her intention of imploring the assistance of the Spanish monarch, which was now her only resource; and recom-

Norfolk's conspiracy in favour of Mary.

[a] Haynes, 597, 598. Hardw. State Papers, i. 190, &c. Digges's Compleat Ambas. 147.

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mended Ridolphi to his confidence, as a person capable both of explaining and advancing the scheme. The Duke commanded Hickford, his secretary, to decypher, and then to burn this letter; but, whether he had been already gained by the court, or resolved at that time to betray his master, he disobeyed the latter part of the order, and hid the letter, together with other treasonable papers, under the Duke's own bed.

Ridolphi, in a conference with Norfolk, omitted none of those arguments, and spared none of those promises, which are the usual incentives to rebellion. The Pope, he told him, had a great sum in readiness to bestow in so good a cause. The Duke of Alva had undertaken to land ten thousand men not far from London. The Catholics, to a man, would rise in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half their nation had turned their eyes towards him, and called on him to revenge the unmerited injuries which he himself had suffered; and to rescue an unfortunate Queen, who offered him her hand and her crown as the reward of his success. Norfolk approved of the design, and, though he refused to give Ridolphi any letter of credit, allowed him to use his name in negotiating with the Pope and Alva[b]. The Bishop of Ross, who, from the violence of his temper, and impatience to procure relief for his mistress, was apt to run into rash and desperate designs, advised the Duke to assemble secretly a few of his followers,

[b] Anders. iii. 161.

and at once to seize Elizabeth's person. But this the Duke rejected as a scheme equally wild and hazardous. Meanwhile, the English court had received some imperfect information of the plot, by intercepting one of Ridolphi's agents; and an accident happened, which brought to light all the circumstances of it. The Duke had employed Hickford to transmit to Lord Herries some money, which was to be distributed among Mary's friends in Scotland. A person not in the secret was intrusted with conveying it to the borders; and he, suspecting it from the weight to be gold, whereas he had been told that it was silver, carried it directly to the privy council. The Duke, his domestics, and all who were privy or could be suspected of being privy to the design, were taken into custody. Never did the accomplices in a conspiracy discover less firmness, or servants betray an indulgent master with greater baseness. Every one confessed the whole of what he knew. Hickford gave directions how to find the papers which he had hidden. The Duke himself, relying at first on the fidelity of his associates, and believing all dangerous papers to have been destroyed, confidently asserted his own innocence; but when their depositions and the papers themselves were produced, astonished at their treachery, he acknowledged his guilt, and implored the Queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and Elizabeth thought it necessary to deter her subjects, by his punishment, from holding correspondence with the Queen of Scots or her emissaries. Being tried by his peers, he was

1571. discovered by Elizabeth. August.

Sept. 7.

BOOK VI. found guilty of high treason, and, after several delays, suffered death for the crime[c].

1571. The discovery of this conspiracy produced many effects extremely detrimental to Mary's interest. The Bishop of Ross, who appeared, by the confession of all concerned, to be the prime mover in every cabal against Elizabeth, was taken into custody, his papers searched himself committed to the Tower, treated with the utmost rigour, threatened with capital punishment, and, after a long confinement, set at liberty on condition that he should leave the kingdom. Mary was not only deprived of a servant equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambassador at the English court. The Spanish ambassador, whom the power and dignity of the Prince he represented exempted from such insults as Ross had suffered, was commanded to leave England[d]. As there was now the clearest evidence that Mary, from resentment of the wrongs she had suffered, and impatience of the captivity in which she was held, would not scruple to engage in the most hostile and desperate enterprises against the established government and religion, she began to be regarded as a public enemy, and was kept under a stricter guard than formerly; the number of her domestics was abridged, and no person permitted to see her but in presence of her keepers[e].

At the same time, Elizabeth, foreseeing the storm

[c] Anders. iii. 149. State Trials, 185.
[d] Digges, 163. [e] Strype, Ann. ii. 50.

which was gathering on the Continent against her kingdom, began to wish that tranquillity were restored in Scotland; and, irritated by Mary's late attempt against her government, she determined to act without disguise or ambiguity in favour of the King's party. This resolution she intimated to the leaders of both factions. Mary, she told them, had held such a criminal correspondence with her avowed enemies, and had excited such dangerous conspiracies both against her crown and her life, that she would henceforth consider her as unworthy of protection, and would never consent to restore her to liberty, far less to replace her on her throne. She exhorted them, therefore, to unite in acknowledging the King's authority. She promised to procure, by her mediation, equitable terms for those who had hitherto opposed it. But if they still continued refractory, she threatened to employ her utmost power to compel them to submit[f]. Though this declaration did not produce an immediate effect; though hostilities continued in the neighbourhood of Edinburgh; though Huntly's brother, Sir Adam Gordon, by his bravery and good conduct, had routed the King's adherents in the North in many encounters; yet, such an explicit discovery of Elizabeth's sentiments contributed not a little to animate one party, and to depress the spirit and hopes of the other[g].

1571. Elizabeth declares openly against the Queen's party. Oct. 23.

As Morton, who commanded the Regent's forces, lay at Leith, and Kirkaldy still held out the town and castle of Edinburgh, scarce a day passed without a

1572. Hostilities carried on between them.

[f] See Append. No. XXXVII.

[g] Cald. ii. 289. 294. Strype, ii. 76.

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skirmish; and while both avoided any decisive action, they harassed each other by attacking small parties, beating up quarters, and intercepting convoys. These operations, though little memorable in themselves, kept the passions of both factions in perpetual exercise and agitation, and wrought them up, at last, to a degree of fury which rendered them regardless not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and during the heat of combat, that this implacable rage appeared; both parties hanged the prisoners which they took, of whatever rank or quality, without mercy and without trial. Great numbers suffered in this shocking manner; the unhappy victims were led by fifties at a time to execution; and it was not till both sides had smarted severely that they discontinued this barbarous practice, so reproachful to the character of the nation[h]. Meanwhile, those in the town and castle, though they had received a supply of money from the Duke of Alva[i], began to suffer for want of provisions. As Morton had destroyed all the mills in the neighbourhood of the city, and had planted small garrisons in all the houses of strength around it, scarcity daily increased. At last all the miseries of famine were felt, and they must have been soon reduced to such extremities as would have forced them to capitulate, if the English and French ambassadors had not procured a suspension of hostilities between the two parties[k].

League between

Though the negotiation for a marriage between Elizabeth and the Duke of Anjou had been fruitless,

[h] Crawf. Mem. 218. 220. [i] Cald. ii. 345. [k] Ib. 346.

both Charles and she were desirous of concluding a defensive alliance between the two crowns. He considered such a treaty not only as the best advice for blinding the Protestants, against whom the conspiracy was now almost ripe for execution; but as a good precaution, likewise, against the dangerous consequences to which that atrocious measure might expose him. Elizabeth, who had hitherto reigned without a single ally, now saw her kingdom so threatened with intestine commotions, or exposed to invasions from abroad, that she was extremely solicitous to secure the assistance of so powerful a neighbour. The difficulties arising from the situation of the Scottish Queen were the chief occasions of any delay. Charles demanded some terms of advantage for Mary and her party. Elizabeth refused to listen to any proposition of that kind. Her obstinacy overcame the faint efforts of the French Monarch. Mary's name was not so much as mentioned in the treaty; and with regard to Scottish affairs, a short article was inserted, in general and ambiguous terms, to this purpose: "That the parties contracting shall make no innovations in Scotland; nor suffer any stranger to enter and to foment the factions there; but it shall be lawful for the Queen of England to chastise, by force of arms, those Scots who shall continue to harbour the English rebels now in Scotland[1]." In consequence of this treaty, France and England affected to act in concert with regard to Scotland, and Le Croc and Sir William Drury appeared there in the name of

1572. England and France.

April 11.

[1] Digges, 170. 191. Camden, 444.

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their respective sovereigns. By their mediation, a truce for two months was agreed upon, and during that time conferences were to be held between the leaders of the opposite factions, in order to accommodate their differences and restore peace to the kingdom. This truce afforded a seasonable interval of tranquillity to the Queen's adherents in the South; but in the North it proved fatal to her interest. Sir Adam Gordon had still maintained his reputation and superiority there. Several parties, under different officers, were sent against him. Some of them he attacked in the field; against others he employed stratagem; and as his courage and conduct were equal, none of his enterprises failed of success. He made war too with the humanity which became so gallant a man, and gained ground by that, no less than by the terror of his arms. If he had not been obliged by the truce to suspend his operations, he would in all probability have brought that part of the kingdom to submit entirely to the Queen's authority[m].

Proceedings in England against Mary.

Notwithstanding Gordon's bravery and success, Mary's interest was on the decline, not only in her own kingdom, but among the English. Nothing could be more offensive to that nation, jealous of foreigners, and terrified at the prospect of the Spanish yoke, than her negotiations with the Duke of Alva. The Parliament, which met in May, proceeded against her as the most dangerous enemy of the kingdom; and, after a solemn conference between the Lords and Commons, both houses

[m] Crawf. Mem.

agreed in bringing in a bill to declare her guilty of high treason, and to deprive her of all right of succession to the crown. This *great cause*, as it was then called, occupied them during the whole session, and was carried on with much unanimity. Elizabeth, though she applauded their zeal, and approved greatly of the course they were taking, was satisfied with showing Mary what she might expect from the resentment of the nation; but as she did not yet think it time to proceed to the most violent extremity against her, she prorogued the parliament[n]. BOOK VI. 1572.

The French neglect her interest.

These severe proceedings of the English Parliament were not more mortifying to Mary than the coldness and neglect of her allies the French. The Duke of Montmorency, indeed, who came over to ratify the league with Elizabeth, made a show of interesting himself in favour of the Scottish Queen; but, instead of soliciting for her liberty, or her restoration to her throne, all that he demanded was a slight mitigation of the rigour of her imprisonment. Even this small request he urged with so little warmth or importunity, that no regard was paid to it[o].

The massacre of Paris.

The alliance with France afforded Elizabeth much satisfaction, and she expected from it a great increase of security. She now turned her whole attention towards Scotland, where the animosities of the two factions were still so high, and so many interfering interests to be adjusted, that a general pacification seemed to be at a great distance. But

[n] D'Ewes, Journ. 206, &c.

[o] Jebb, ii. 512.

BOOK VI. 1572. while she laboured to bring them to some agreement, an event happened which filled a great part of Europe with astonishment and with horror. This was the massacre at Paris; an attempt, to which there is no parallel in the history of mankind, either for the long train of craft and dissimulation with which it was contrived, or for the cruelty and barbarity with which it was carried into execution. By the most solemn promises of safety and of favour, the leaders of the Protestants were drawn to court; and though doomed to destruction, they were received with caresses, loaded with honours, and treated, for seven months, with every possible mark
August 24. of familiarity and of confidence. In the midst of their security, the warrant for their destruction was issued by their sovereign, on whose word they had relied; and, in obedience to it, their countrymen, their fellow-citizens, and companions, imbrued their hands in their blood. Ten thousand Protestants, without distinction of age, or sex, or condition, were murdered in Paris alone. The same barbarous orders were sent to other parts of the kingdom, and a like carnage ensued. This deed, which no Popish writer in the present age mentions without detestation, was at that time applauded in Spain; and at Rome solemn thanksgivings were offered to God for its success. But among the Protestants it excited incredible horror; a striking picture of which is drawn by the French ambassador at the court of England, in his account of his first audience after the massacre. "A gloomy sorrow," says he, "sat on every face; silence, as in the dead of night, reigned through all the chambers of the royal apart-

ment; the ladies and courtiers were ranged on each side, all clad in deep mourning, and as I passed through them, not one bestowed on me a civil look, or made the least return to my salutes[p]."

But horror was not the only passion with which this event inspired the Protestants; it filled them with fear. They considered it as the prelude to some greater blow, and believed, not without much probability, that all the Popish Princes had conspired the destruction of their sect. This opinion was of no small disservice to Mary's affairs in Scotland. Many of her adherents were Protestants; and, though they wished her restoration, were not willing, on that account, to sacrifice the faith which they professed. They dreaded her attachment to a religion which allowed its votaries to violate the most solemn engagements, and prompted them to perpetrate the most barbarous crimes. A general confederacy of the Protestants seemed to them the only thing that could uphold the Reformation against the league which was formed to overturn it. Nor could the present establishment of religion be long maintained in Britain, but by a strict union with Elizabeth, and by the concurrence of both nations in espousing the defence of it as a common cause[q].

Detrimental to Mary's interest.

Encouraged by this general disposition to place confidence in her, Elizabeth resumed a scheme which she had formed during the regency of the Earl of Murray, of sending Mary as a prisoner into Scotland. But her sentiments and situation were now very different from what they had been during her

[p] Carte, iii. 522.

[q] Digges, 244, 267.

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negotiation with Murray. Her animosity against the Queen of Scots was greatly augmented by recent experience, which taught her that she had inclination, as well as power, not only to disturb the tranquillity of her reign, but to wrest from her the crown; the party in Scotland favourable to Mary was almost entirely broken; and there was no reason to dread any danger from France, which still continued to court her friendship. She aimed, accordingly, at something very different from that which she had in view three years before. Then she discovered a laudable solicitude, not only for the safety of Mary's life, but for securing to her treatment suited to her rank. Now she required, as an express condition, that immediately after Mary's arrival in Scotland, she should be brought to public trial; and, having no doubt that sentence would be passed according to her deserts, she insisted that, for the good of both kingdoms, it should be executed without delay[r]. No transaction, perhaps, in Elizabeth's reign, merits more severe censure. Eager to cut short the days of a rival, the object both of her hatred and dread, and no less anxious to avoid the blame to which such a deed of violence might expose her, she laboured, with timid and ungenerous artifice, to transfer the odium of it from herself to Mary's own subjects. The Earl of Mar, happily for the honour of his country, had more virtue than to listen to such an ignominious proposal; and Elizabeth did not venture to renew it.

While she was engaged in pursuing this insidious

[r] Murdin, 224.

measure, the Regent was more honourably employed in endeavouring to negotiate a general peace among his countrymen. As he laboured for this purpose with the utmost zeal, and the adverse faction placed entire confidence in his integrity, his endeavours could hardly have failed of being successful. Maitland and Kirkaldy came so near to an agreement with him, that scarce any thing remained, except the formality of signing the treaty. But Morton had not forgotten the disappointment he met with in his pretensions to the regency; his abilities, his wealth, and the patronage of the court of England, gave him greater sway with the party, than even the Regent himself; and he took pleasure in thwarting every measure pursued by him. He was afraid that, if Maitland and his associates recovered any share in the administration, his own influence would be considerably diminished; and the Regent, by their means, would acquire that ascendant which belonged to his station. With him concurred all those who were in possession of the lands which belonged to any of the Queen's party. His ambition, and their avarice, frustrated the Regent's pious intentions, and retarded a blessing so necessary to the kingdom, as the establishment of peace[s].

BOOK VI. 1572. The Regent endeavours to unite both parties.

Such a discovery of the selfishness and ambition which reigned among his party, made a deep impression on the Regent, who loved his country, and wished for peace with much ardour. This inward grief broke his spirit, and by degrees brought on a

His death.

[s] Melv. 233. Crawf. Mem. 237.

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settled melancholy, that ended in a distemper, of which he died on the twenty-ninth of October. He was, perhaps, the only person in the kingdom who could have enjoyed the office of Regent without envy, and have left it without loss of reputation. Notwithstanding their mutual animosities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted[t].

Morton chosen Regent. Nov. 24.

No competitor now appeared against Morton. The Queen of England powerfully supported his claim, and, notwithstanding the fears of the people, and the jealousy of the nobles, he was elected Regent; the fourth who, in the space of five years, had held that dangerous office.

As the truce had been prolonged to the first of January, this gave him an opportunity of continuing the negotiations with the opposite party, which had been set on foot by his predecessor. They produced no effects, however, till the beginning of the next year.

Before we proceed to these, some events, hitherto untouched, deserve our notice.

The Earl of Northumberland, who had been kept prisoner in Lochlevin ever since his flight into Scotland, in the year one thousand five hundred and sixty-nine, was given up to Lord Hunsdon, Governor of Berwick; and, being carried to York, suffered there the punishment of his rebellion. The King's party were so sensible of their dependence on Elizabeth's protection, that it was scarcely possible for them to refuse putting into her hands a

[t] Crawf. Mem. 241.

person who had taken up arms against her; but, as a sum of money was paid on that account, and shared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendship, the abandoning this unhappy nobleman, in such a manner, to certain destruction, was universally condemned as a most ungrateful and mercenary action[u]. BOOK VI. 1572.

This year was remarkable for a considerable innovation in the government of the church. Soon after the Reformation, the popish bishops had been confirmed by law in possession of part of their benefices; but the spiritual jurisdiction, which belonged to their order, was exercised by superintendants, though with more moderate authority. On the death of the Archbishop of St. Andrew's, Morton obtained from the crown a grant of the temporalities of that see. But as it was thought indecent for a layman to hold a benefice to which the cure of souls was annexed, he procured Douglas, rector of the university of St. Andrew's, to be chosen Archbishop; and, allotting him a small pension out of the revenues of the see, retained the remainder in his own hands. The nobles, who saw the advantages which they might reap from such a practice, supported him in the execution of his plan. It gave great offence, however, to the clergy, who, instead of perpetuating an order whose name and power were odious to them, wished that the revenues which had belonged to it might be employ- Affairs of the church.

[u] Crawf. Mem. 55. 222. Camd. 445.

BOOK VI. 1572.

ed in supplying such parishes as were still unprovided with settled pastors. But, on the one hand, it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the Protestant church in Scotland depended; and Morton, on the other, conducted his scheme with such dexterity, and managed them with so much art, that it was at last agreed, in a convention composed of the leading men among the clergy, together with a committee of privy council, "That the name and office of Archbishop and Bishop should be continued during the King's minority, and these dignities be conferred upon the best qualified among the Protestant ministers; but that, with regard to their spiritual jurisdictions, they should be subject to the General Assembly of the church." The rules to be observed in their election, and the persons who were to supply the place and enjoy the privileges which belonged to the dean and chapter in times of Popery, were likewise particularly specified[x]. The whole being laid before the General Assembly, after some exceptions to the name of *Archbishop*, *Dean*, *Chapter*, &c., and a protestation that it should be considered only as a temporary constitution, until one more perfect could be introduced, it obtained the approbation of that court[y]. Even Knox, who was prevented from attending the assembly by the ill state of his health, though he declaimed loudly against the simoniacal paction to which Douglas owed his preferment, and blamed the nomination of a person worn out with

[x] Cald. ii. 305. [y] Id. 354.

age and infirmities, to an office which required unimpaired vigour both of body and mind, seems not to have condemned the proceedings of the convention; and, in a letter to the assembly, approved of some of the regulations with respect to the election of bishops, as worthy of being carefully observed[z]. In consequence of the Assembly's consent to the plan agreed upon in the convention, Douglas was installed in his office, and at the same time an Archbishop of Glasgow and a Bishop of Dunkeld were chosen from among the Protestant clergy. They were all admitted to the place in parliament which belonged to the ecclesiastical order. But in imitation of the example set by Morton, such bargains were made with them by different noblemen, as gave them possession only of a very small part of the revenues which belonged to their sees[a]. 1572.

Soon after the dissolution of this assembly, Knox, the prime instrument of spreading and establishing the reformed religion in Scotland, ended his life in the sixty-seventh year of his age. Zeal, intrepidity, disinterestedness, were virtues which he possessed in an eminent degree. He was acquainted too with the learning cultivated among divines in that age; and excelled in that species of eloquence which is calculated to rouse and to inflame[b]. His maxims, Nov. 27. Death and character of Knox.

[z] See Appendix, No. XXXVIII. [a] Spotsw. 261.

[b] A striking description of that species of eloquence for which Knox was distinguished, is given by one of his contemporaries, Mr. James Melville, minister of Anstruther. "But of all the benefits I had that year [1571], was the coming of that most notable Prophet and Apostle of our nation, Mr. John Knox, to St. Andrew's, who, by the faction of the Queen occupying the

BOOK VI. 1572.

however, were often too severe, and the impetuosity of his temper excessive. Rigid and uncomplying himself, he showed no indulgence to the infirmities of others. Regardless of the distinctions of rank and character, he uttered his admonitions with an acrimony and vehemence more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expressions with respect to the Queen's person and conduct. Those very qualities, however, which now render his character less amiable, fitted him to be the instrument of Providence for advancing the Reformation among a fierce people, and enabling him to face dangers, and to surmount opposition, from which a person of a more gentle spirit would have been apt to shrink back. By an unwearied application to study and to business, as well as by the frequency and fervour of his

castle and town of Edinburgh, was compelled to remove therefra with a number of the best, and chused to come to St. Andrew's. I heard him teach there the prophecies of Daniel that summer and the winter following. I had my pen and little buike, and took away sic things as I could comprehend. In the opening of his text, he was moderate the space of half an hour; but when he entered to application, he made me so to *grue* [thrill] and tremble that I could not hald the pen to write.——He was very weak. I saw him every day of his doctrine go *hulie* [slowly] and fair, with a furring of marticks about his neck, a staff in the one hand, and good godlie Richart Ballenden holding him up by the *oxter* [under the arm], from the abbey to the parish kirk; and he the said Richart and another servant lifted him up to the pulpit, were he behoved to lean at his first entrie; but e're he was done with his sermon, he was so active and vigorous, that he was like to *ding the pulpit in blads* [beat the pulpit to pieces], and fly out of it." MS. Life of Mr. James Melville, communicated to me by Mr. Paton of the Custom-house, Edinburgh, p. 14. 21.

public discourses, he had worn out a constitution naturally robust. During a lingering illness he discovered the utmost fortitude; and met the approaches of death with a magnanimity inseparable from his character. He was constantly employed in acts of devotion, and comforted himself with those prospects of immortality which not only preserve good men from desponding, but fill them with exultation in their last moments. The Earl of Morton, who was present at his funeral, pronounced his eulogium in a few words, the more honourable for Knox, as they came from one whom he had often censured with peculiar severity: "There lies He, who never feared the face of man[b]." 1572.

Though Morton did not desire peace from such generous motives as the former Regent, he laboured, however, in good earnest, to establish it. The public confusions and calamities, to which he owed his power and importance when he was only the second person in the nation, were extremely detrimental to him now that he was raised to be the first. While so many of the nobles continued in arms against him, his authority as Regent was partial, feeble, and precarious. Elizabeth was no less desirous of extinguishing the flame which she had kindled and kept so long alive in Scotland[c]. She had discovered the alliance with France, from which she had expected such advantages, to be no foundation of security. Though appearances of friendship still subsisted between her and that court, and Charles daily renewed his protestations of inviola- 1573. The Regent treats with the Queen's party.

[b] Spotsw. 266. Cald. ii. 273. [c] Digges, 299.

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ble adherence to the treaty, she was convinced, by a fatal example, how little she ought to rely on the promises or oaths of that perfidious monarch. Her ambassador warned her that the French held secret correspondence with Mary's adherents in Scotland, and encouraged them in their obstinacy[d]. The Duke of Alva carried on his intrigues in that kingdom with less disguise. She was persuaded that they would embrace the first serene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land a body of men in Scotland. She resolved, therefore, to prevent their getting any footing in the island, and to cut off all their hopes of finding any assistance there, by uniting the two parties.

His overtures rejected by Maitland and Kirkaldy.

The situation of Mary's adherents enabled the Regent to carry on his negotiations with them to great advantage. They were now divided into two factions. At the head of the one were Chatelherault and Huntly. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extensive property, and the numbers of their followers, rendered the former considerable. The latter were indebted for their importance to their personal abilities, and to the strength of the castle of Edinburgh, which was in their possession. The Regent had no intention to comprehend both in the same treaty; but as he dreaded that the Queen's party, if it remained entire, would be able to thwart and embarrass his administration, he resolved to divide and weaken it by a separate negotiation.

[d] Digges, 296. 312.

He made the first overture to Kirkaldy and his associates, and endeavoured to renew the negotiation with them, which, during the life of his predecessor, had been broken off by his own artifices. But Kirkaldy knew Morton's views, and system of government, to be very different from those of the former Regent. Maitland considered him as a personal and implacable enemy. They received repeated assurances of protection from France; and though the siege of Rochelle employed the French arms at that time, the same hopes, which had so often deceived the party, still amused them, and they expected that the obstinacy of the Hugonots would soon be subdued, and that Charles would then be at liberty to act with vigour in Scotland. Meanwhile a supply of money was sent, and if the castle could be held out till Whitsunday, effectual aid was promised[e]. Maitland's genius delighted in forming schemes that were dangerous; and Kirkaldy possessed the intrepidity necessary for putting them in execution. The castle, they knew, was so situated that it might defy all the Regent's power. Elizabeth, they hoped, would not violate the treaty with France, by sending forces to his assistance; and if the French should be able to land any considerable body of men, it might be possible to deliver the Queen from captivity, or at least to balance the influence of France and England in such a manner, as to rescue Scotland from the dishonourable dependence upon the latter, under which it had fallen. This splendid but chimerical pro-

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[e] Digges, 314.

BOOK VI. 1573.

ject they preferred to the friendship of Morton. They encouraged the negotiation, however, because it served to gain time; they proposed, for the same purpose, that the whole of the Queen's party should be comprehended in it, and that Kirkaldy should retain the command of the castle six months after the treaty was signed. His interest prompted the Regent to reject the former; his penetration discovered the danger of complying with the latter; and all hopes of accommodation vanished[f].

As soon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which, by the return of the inhabitants whom he had expelled, was devoted as zealously as ever to the King's cause. But, as the Regent had now set on foot a treaty with Chatelherault and Huntly, the cessation of arms still continued with them.

Accepted by Chatelherault and Huntly.

They were less scrupulous than the other party, and listened eagerly to his overtures. The Duke was naturally unsteady, and the approach of old age increased his irresolution, and aversion to action. The miseries of civil discord had afflicted Scotland almost five years, a length of time far beyond the duration of any former contest. The war, instead of doing service, had been detrimental to the Queen; and more ruinous than any foreign invasion to the kingdom. In prosecuting it, neither party had gained much honour; both had suffered great losses, and had exhausted their own estates in wasting those of their adversaries. The commons were in the utmost misery, and longed ar-

[f] Melv. 235, &c.

dently for a peace, which might terminate this fruitless but destructive quarrel. BOOK VI.

A great step was taken towards this desirable event, by the treaty concluded at Perth, between the Regent on one hand, and Chatelherault and Huntly on the other, under the mediation of Killegrew, Elizabeth's ambassador[g]. The chief articles in it were these: That all the parties comprehended in the treaty should declare their approbation of the reformed religion now established in the kingdom; that they should submit to the King's government, and own Morton's authority as Regent; that they should acknowledge every thing done in opposition to the King, since his coronation, to be illegal; that on both sides the prisoners who had been taken should be set at liberty, and the estates which had been forfeited should be restored to their proper owners; that the act of attainder passed against the Queen's adherents should be repealed, and indemnity granted for all the crimes of which they had been guilty since the fifteenth of June one thousand five hundred and sixty-seven; and that the treaty should be ratified by the common consent of both parties in parliament[h]. 1573. Articles of the treaty. Feb. 23.

Kirkaldy, though abandoned by his associates, who neither discovered solicitude nor made provision for his safety, did not lose courage, nor entertain any thoughts of accommodation[i]. Though Siege of the castle of Edinburgh.

[g] See Appendix, No. XXXIX. [h] Crawf. Mem. 251.

[i] Melvil, whose brother, Sir Robert, was one of those who joined with Kirkaldy in the defence of the castle, and who was himself strongly attached to their party, asserts that Kirkaldy

BOOK VI. 1573. all Scotland had now submitted to the King, he still resolved to defend the castle in the Queen's name, and to wait the arrival of the promised succours. The Regent was in want of every thing necessary for carrying on a siege. But Elizabeth, who, determined at any rate to bring the dissentions in Scotland to a period before the French could find leisure to take part in the quarrel, soon afforded him sufficient supplies. Sir William Drury marched into Scotland with fifteen hundred foot, and a considerable train of artillery. The Regent joined him with all his forces; and trenches were opened and approaches regularly
April 25. carried on against the castle. Kirkaldy, though discouraged by the loss of a great sum of money remitted to him from France, and which fell into the Regent's hands through the treachery of Sir James Balfour, the most corrupt man of that age, defended himself with bravery augmented by despair. Three-and-thirty days he resisted all the efforts of the Scotch and English, who pushed on

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offered to accept of any reasonable terms of composition, but that all his offers were rejected by the Regent. Melv. 240. But, as Elizabeth was at that time extremely desirous of restoring peace in Scotland, and her ambassador Killegrew, as well as the Earl of Rothes, used their utmost endeavours to persuade Kirkaldy to accede to the treaty of Perth, it seems more credible to impute the continuance of hostilities to Kirkaldy's obstinacy, his distrust of Morton, or his hope of foreign aid, than to any other cause.

That this was really the case, is evident from the positive testimony of Spotsw. 269, 270. Camd. 448. Johnst. Hist. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.

their attacks with courage, and with emulation. Nor did he demand a parley, till the fortifications were battered down, and one of the wells in the castle dried up, and the other choked with rubbish. Even then, his spirit was unsubdued, and he determined rather to fall gloriously behind the last intrenchment, than to yield to his inveterate enemies. But his garrison was not animated with the same heroic or desperate resolution, and, rising in a mutiny, forced him to capitulate. He surrendered himself to Drury, who promised, in the name of his mistress, that he should be favourably treated. Together with him, James Kirkaldy his brother, Lord Home, Maitland, Sir Robert Melvil, a few citizens of Edinburgh, and about one hundred and sixty soldiers, were made prisoners[k]. BOOK VI. 1573. May 29.

Several of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low-Countries, and entering into the service of the States, added, by their gallant behaviour, to the reputation for military virtue which has always been the characteristic of the Scottish nation.

Thus by the treaty with Chatelherault and Huntly, and the surrender of the castle, the civil wars in Scotland were brought to a period. When we review the state of the nation, and compare the strength of the two factions, Mary's partisans among the nobles appear, manifestly, to have been superior both in numbers and in power. But these advantages were more than counterbalanced by others, Review of the character of both parties.

[k] Cald. ii. 408. Melv. 240. Crawf. Men. 265.

BOOK VI. 1573.

which their antagonists enjoyed. Political abilities, military skill, and all the talents which times of action form, or call forth, appeared chiefly on the King's side. Nor could their enemies boast of any man, who equalled the intrepidity of Murray, tempered with wisdom; the profound sagacity of Morton; the subtle genius, and insinuating address, of Maitland; or the successful valour of Kirkaldy; all of which were at first employed in laying the foundation of the King's authority. On the one side, measures were concerted with prudence, and executed with vigour; on the other, their resolutions were rash, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation against the Queen, warmly supported the King's cause. The clergy threw the whole weight of their popularity into the same scale. By means of these, as well as by the powerful interposition of England, the King's government was finally established. Mary lost even that shadow of sovereignty, which, amidst all her sufferings, she had hitherto retained among part of her own subjects. As she was no longer permitted to have an ambassador at the court of England, the only mark of dignity which she had for some time enjoyed there, she must henceforth be considered as an exile stripped of all the ensigns of royalty; guarded with anxiety in the one kingdom, and totally deserted or forgotten in the other.

Kirkaldy put to death.

Kirkaldy and his associates remained in Drury's custody, and were treated by him with great humanity, until the Queen of England, whose prisoners they were, should determine their fate.

Morton insisted that they should suffer the punishment due to their rebellion and obstinacy; and declared that, so long as they were allowed to live, he did not reckon his own person or authority secure: and Elizabeth, without regarding Drury's honour, or his promises in her name, gave them up to the Regent's disposal. He first confined them to separate prisons; and soon after, with Elizabeth's consent, condemned Kirkaldy and his brother to be hanged at the cross of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution by a voluntary death, and "ended his days," says Melvil, "after the old Roman fashion[1]." BOOK VI. 1573. August 3

While the Regent was wreaking his vengeance on the remains of her party in Scotland, Mary, incapable of affording them any relief, bewailed their misfortunes in the solitude of her prison. At the same time her health began to be much impaired by confinement and want of exercise. At the entreaty of the French ambassador, Lord Shrewsbury, her keeper, was permitted to conduct her to Buxton-wells, not far from Tuthbury, the place of her imprisonment. Cecil, who had lately been created Baron of Burleigh, and Lord High Treasurer of England, happened to be there at the same time. Though no minister ever entered more warmly into the views of a sovereign, or gave stronger proofs of his fidelity and attachment, than this great man, yet such was Elizabeth's distrust of every person who

[1] Melv. 242.

BOOK VI. approached the Queen of Scots, that her suspicions, in consequence of this interview, seem to have extended even to him; and while Mary justly reckoned him her most dangerous enemy, he found some difficulty in persuading his own mistress that he was not partial to that unhappy Queen[m].

1573.

The Duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppressive administration roused a spirit, in attempting to subdue which Spain exhausted its treasures, ruined its armies, and lost its glory. Requesens, who succeeded him, was of a milder temper, and of a less enterprising genius. This event delivered Elizabeth from the perpetual disquietude occasioned by Alva's negotiations with the Scottish Queen, and his zeal for her interest.

1574. The Regent's administration becomes odious.

Though Scotland was now settled in profound peace, many of the evils which accompany civil war were still felt. The restraints of law, which in times of public confusion are little regarded even by civilized nations, were totally despised by a fierce people unaccustomed to a regular administration of justice. The disorders in every corner of the kingdom were become intolerable; and, under the protection of the one or the other faction, crimes of every kind were committed with impunity. The Regent set himself to redress these, and by his industry and vigour, order and security were re-established in the kingdom. But he lost the reputation due to this important service, by the avarice which

[m] Strype, ii. 248. 268.

he discovered in performing it; and his own exactions became more pernicious to the nation than all the irregularities which he restrained[n]. Spies and informers were every where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty trespasses were aggravated; and delinquents were forced to compound for their lives by the payment of exorbitant fines. At the same time the current coin was debased[o]; licenses were sold for carrying on prohibited branches of commerce; unusual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the church. The thirds of benefices, out of which the clergy received their subsistence, had always been slowly and irregularly paid to collectors appointed by the general assembly; and during the civil wars, no payment could be obtained in several parts of the kingdom. Under colour of redressing this grievance,

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[n] See Append. No. XL.

[o] The corruption of the coin, during Morton's administration, was very great. Although the quantity of current money coined out of a pound of bullion, was gradually increased by former Princes, the standard or fineness suffered little alteration, and the mixture of alloy was nearly the same with what is now used. But Morton mixed a fourth part of alloy with every pound of silver, and sunk, by consequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be re-coined. The standard was restored to the same purity as formerly. Ruddim. Præf. to Anders. Diplom. p. 74.

BOOK VI. 1574. and upon a promise of assigning every minister a stipend within his own parish, the Regent extorted from the church the thirds to which they had right by law. But the clergy, instead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One minister was commonly burthened with the care of four or five parishes, a pitiful salary was allotted him, and the Regent's insatiable avarice seized on the rest of the fund[p].

The death of Charles IX., which happened this year, was a new misfortune to the Scottish Queen. Henry III., who succeeded him, had not the same attachment to her person; and his jealousy of the house of Guise, and obsequiousness to the Queen mother, greatly alienated him from her interest.

1575. Jan. 22. The death of the Duke of Chatelherault must likewise be considered as some loss to Mary. As the parliament had frequently declared him next heir to the crown, this entitled him to great respect among his countrymen, and enabled him, more than any other person in the kingdom, to counterbalance the Regent's power.

Soon after, at one of the usual interviews between the wardens of the Scottish and English marches, a scuffle happened, in which the English were worsted; a few killed on the spot; and Sir James Forrester, the warden, with several gentlemen who attended him, taken prisoners. But both Elizabeth and the Regent were too sensible of the advantage which resulted from the good understand-

[p] Crawf. Mem. 272. Spotsw. 273. Cald. ii. 420. 427.

ing that subsisted between the two kingdoms, to allow this slight accident to interrupt it.

1575.

The domestic tranquillity of the kingdom was in some danger of being disturbed by another cause. Though the persons raised to the dignity of bishops possessed very small revenues, and a very moderate degree of power, the clergy, to whom the Regent and all his measures were become extremely odious, began to be jealous of that order. Knowing that corruptions steal into the church gradually, under honourable names and upon decent pretences, they were afraid that, from such small beginnings, the hierarchy might grow in time to be as powerful and oppressive as ever. The chief author of these suspicions was Mr. Andrew Melvil, a man distinguished by his uncommon erudition, by the severity of his manners, and the intrepidity of his mind. But, bred up in the retirement of a college, he was unacquainted with the arts of life; and being more attentive to the ends which he pursued, than to the means which he employed for promoting them, he often defeated laudable designs by the impetuosity and imprudence with which he carried them on. A question was moved by him in the assembly, "Whether the office of Bishop, as now exercised in the kingdom, were agreeable to the word of God?" In the ecclesiastical judicatories, continual complaints were made of the bishops for neglect of duty, many of which their known remissness too well justified. The Bishop of Dunkeld, being accused of dilapidating his benefice, was found guilty by the assembly. The Regent, instead of checking,

Attempts of the clergy against the episcopal order.

BOOK VI. 1575.

connived at these disputes about ecclesiastical government, as they diverted the zeal of the clergy from attending to his daily encroachments on the patrimony of the church[q].

1576. He irritates some of the nobles.

The weight of the Regent's oppressive administration had hitherto fallen chiefly on those in the lower and middle rank; but he began now to take such steps as convinced the nobles, that their dignity would not long exempt them from feeling the effects of his power. An accident, which was a frequent cause of dissention among the Scottish nobles, occasioned a difference between the Earls of Argyll and Athol. A vassal of the former had made some depredations on the lands of the latter. Athol took arms to punish the offender; Argyll to protect him; and this ignoble quarrel they were ready to decide in the field, when the Regent, by interposing his authority, obliged them to disband their forces. Both of them had been guilty of irregularities, which, though common, were contrary to the letter of the law. Of these the Regent took advantage, and resolved to found on them a charge of treason. This design was revealed to the two Earls by one of Morton's retainers. The common danger to which they were exposed, compelled them to forget old quarrels, and to unite in a close confederacy for their mutual defence. Their junction rendered them formidable; they despised the summons which the Regent gave them to appear before a court of justice; and he was obliged to desist from any

[q] Cald. Assemblies, 1574, &c. Johnst. Hist. 15.

further prosecution. But the injury he intended made a deep impression on their minds, and drew upon him severe vengeance[r]. 1576.

Nor was he more successful in an attempt which he made, to load Lord Claud Hamilton with the guilt of having formed a conspiracy against his life. Though those who were supposed to be his accomplices were seized and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circumstances discovered his innocence, as well as the Regent's secret views in imputing to him such an odious design[s].

1577. They turn their eyes towards the King.

The Scottish nobles, who were almost equal to their monarchs in power, and treated by them with much distinction, observed these arbitrary proceedings of a Regent with the utmost indignation. The people, who, under a form of government extremely simple, had been little accustomed to the burden of taxes, complained loudly of the Regent's rapacity; and all began to turn their eyes towards the young King, from whom they expected the redress of all their grievances, and the return of a more gentle and more equal administration.

James's education and disposition.

James was now in the twelfth year of his age. The Queen, soon after his birth, had committed him to the care of the Earl of Mar, and during the civil wars he had resided securely in the castle of Stirling. Alexander Erskine, that nobleman's brother, had the chief direction of his education. Under him, the famous Buchanan acted as preceptor, together with three other masters, the most

[r] Crawf. Mem. 285. [s] Ibid. 287.

BOOK VI. 1577.

eminent the nation afforded for skill in those sciences which were deemed necessary for a prince. As the young King showed an uncommon passion for learning, and made great progress in it, the Scots fancied that they already discovered in him all those virtues which the fondness or credulity of subjects usually ascribes to princes during their minority. But, as James was still far from that age at which the law permitted him to assume the reins of government, the Regent did not sufficiently attend to the sentiments of the people, nor reflect how naturally these prejudices in his favour might encourage the King to anticipate that period. He not only neglected to secure the friendship of those who were about the King's person, and who possessed his ear, but had even exasperated some of them by personal injuries.

He is suspicious of the Regent's power.

Their resentment concurred with the ambition of others, in infusing into the King early suspicions of Morton's power and designs. A King, they told him, had often reason to fear, seldom to love, a Regent. Prompted by ambition, and by interest, he would endeavour to keep the Prince in perpetual infancy, at a distance from his subjects, and unacquainted with business. A small degree of vigour, however, was sufficient to break the yoke. Subjects naturally reverence their sovereign, and become impatient of the temporary and delegated jurisdiction of a Regent. Morton had governed with rigour unknown to the ancient Monarchs of Scotland. The nation groaned under his oppressions, and would welcome the first prospect of a milder administration. At present the King's name was hardly mentioned in Scotland, his friends were without in-

fluence, and his favourites without honour. But one effort would discover Morton's power to be as feeble as it was arbitrary. The same attempt would put himself in possession of his just authority, and rescue the nation from intolerable tyranny. If he did not regard his own rights as a King, let him listen, at least, to the cries of his people[t]. 1577.

A plot formed against the Regent.

These suggestions made a deep impression on the young King, who was trained up in an opinion that he was born to command. His approbation of the design, however, was of small consequence without the concurrence of the nobles. The Earls of Argyll and Athol, two of the most powerful of that body, were animated with implacable resentment against the Regent. To them the cabal in Stirling-castle communicated the plot which was on foot; and they entering warmly into it, Alexander Erskine, who, since the death of his brother, and during the minority of his nephew, had the command of that fort, and the custody of the King's person, admitted them secretly into the King's presence. They gave him the same account of the misery of his subjects, under the Regent's arbitrary administration; they complained loudly of the injustice with which themselves had been treated, and besought the King, as the only means for redressing the grievances of the nation, to call a council of all the nobles. James consented, and letters were issued in his name for that purpose; but the two Earls took care that they should be sent only to such as were known to bear no good will to Morton[u].

[t] Melvil, 249.

[u] Spotsw. 278.

BOOK VI. 1577. The number of these was, however, so considerable, that on the day appointed, far the greater part of the nobles assembled at Stirling; and so highly were they incensed against Morton, that although, on receiving intelligence of Argyll and Athol's interview with the King, he had made a feint as if he would resign the Regency, they advised the King, without regarding this offer, to deprive him of his office, and to take the administration of government into his own hands. Lord Glamis the chancellor, and Herries, were appointed to signify this resolution to Morton, who was at that time in Dalkeith, his usual place of residence. Nothing could equal the joy with which this unexpected resolution filled the nation, but the surprise occasioned by the seeming alacrity with which the Regent descended from so high a station. He neither wanted sagacity to foresee the danger of resigning, nor inclination to keep possession of an office, for the expiration of which the law had fixed so distant a term. But all the sources whence the faction of which he was head derived their strength, had either failed, or now supplied his adversaries with the means of humbling him. The commons, the city of Edinburgh, the clergy, were all totally alienated from him, by his multiplied oppressions. Elizabeth, having lately bound herself by treaty to send a considerable body of troops to the assistance of the inhabitants of the Netherlands, who were struggling for liberty, had little leisure to attend to the affairs of Scotland; and as she had nothing to dread from France, in whose councils the Princes of Lorrain had not at that time much influence, she was not displeas-

1578. March 24.

He resigns his office, and retires.

ed, perhaps, at the birth of new factions in the kingdom. Even those nobles, who had long been joined with Morton in faction, or whom he had attached to his person by benefits, Glamis, Lindsay, Ruthven, Pitcairn the secretary, Murray of Tullibardin, comptroller, all deserted his falling fortunes, and appeared in the council at Stirling. So many concurring circumstances convinced Morton of his own weakness, and determined him to give way to a torrent, which was too impetuous to be resisted. He attended the Chancellor and Herries to Edinburgh; was present when the King's acceptance of the government was proclaimed; and, in the presence of the people, surrendered to the King all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with such excessive joy and acclamations of the multitude, as added, no doubt, to the anguish which an ambitious spirit must feel, when compelled to renounce supreme power; and convinced Morton how entirely he had lost the affections of his countrymen. He obtained, however, from the King an act containing the approbation of every thing done by him in the exercise of his office, and a pardon, in the most ample form that his fear or caution could devise, of all past offences, crimes, and treasons. The nobles, who adhered to the King, bound themselves under a great penalty, to procure the ratification of this act in the first parliament[x].

BOOK VI. 1578. March 12.

A council of twelve peers was appointed to assist the King in the administration of affairs. Morton, Continues to watch the mo-

[x] Spotsw. 278. Crawf. Mem. 289. Cald. ii. 522.

BOOK VI.

deserted by his own party, and unable to struggle with the faction which governed absolutely at court, retired to one of his seats, and seemed to enjoy the tranquillity, and to be occupied only in the amusements, of a country life. His mind, however, was deeply disquieted with all the uneasy reflections which accompany disappointed ambition, and intent on schemes for recovering his former grandeur. Even in this retreat, which the people called the *Lion's Den*, his wealth and abilities rendered him formidable; and the new counsellors were so imprudent as to rouse him, by the precipitancy with which they hastened to strip him of all the remains of power. They required him to surrender the castle of Edinburgh, which was still in his possession. He refused at first to do so, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulsed part of the garrison, which was sent out to guard a convoy of provisions, he was obliged to give up that important fortress without resistance. This encouraged his adversaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in such a manner as convinced him that nothing less than his utter ruin would satisfy their inveterate hatred.

1578. tions of the adverse party.

Their power and popularity, however, began already to decline. The Chancellor, the ablest and most moderate man in the party, having been killed at Stirling in an accidental rencounter between his followers and those of the Earl of Crawford; Athol, who was appointed his successor in that high office, the Earls of Eglinton, Caithness, and

Lord Ogilvie, all the prime favourites at court, were either avowed Papists, or suspected of leaning to the opinions of that sect. In an age when the return of Popery was so much and so justly dreaded, this gave universal alarm. As Morton had always treated the Papists with rigour, this unseasonable favour to persons of that religion made all zealous Protestants remember that circumstance in his administration with great praise[y]. BOOK VI. 1578.

Resumes his former authority.

Morton, to whom none of these particulars were unknown, thought this the proper juncture for setting to work the instruments which he had been preparing. Having gained the confidence of the Earl of Mar, and of the Countess his mother, he insinuated to them, that Alexander Erskine had formed a plot to deprive his nephew of the government of Stirling-castle, and the custody of the King's person; and easily induced an ambitious woman, and a youth of twenty, to employ force to prevent this supposed injury. The Earl repairing suddenly to Stirling, and being admitted as usual into the castle with his attendants, seized the gates early in the morning, and turned out his uncle, who dreaded no danger from his hands. The soldiers of the garrison submitted to him as their governor, and, with little danger and no effusion of blood, he became master both of the King's person and of the fortress[z]. April 26.

An event so unexpected occasioned great consternation. Though Morton's hand did not appear in the execution, he was universally believed to be

[y] Spotsw. 283. [z] Cald. ii. 535.

BOOK VI. 1578. the author of the attempt. The new counsellors saw it to be necessary, for their own safety, to change their measures, and, instead of pursuing him with such implacable resentment, to enter into terms of accommodation with an adversary, still so capable of creating them trouble. Four were named, on each side, to adjust their differences. They met not far from Dalkeith; and when they had brought matters near a conclusion, Morton, who was too sagacious not to improve the advantage which their security and their attention to the treaty afforded him, set out in the night-time for Stirling, and, having gained Murray of Tullibardin, May 24. Mar's uncle, was admitted by him into the castle; and, managing matters there with his usual dexterity, he soon had more entirely the command of the fort, than the Earl himself. He was likewise admitted to a seat in the privy council, and acquired as complete an ascendant in it[a].

As the time appointed for the meeting of parliament at Edinburgh now approached, this gave him some anxiety. He was afraid of conducting the young King to a city whose inhabitants were so much at the devotion of the adverse faction. He was no less unwilling to leave James behind at Stirling. In order to avoid this dilemma, he issued a proclamation in the King's name, changing the place of meeting from Edinburgh to Stirling-castle. This Athol and his party represented as a step altogether unconstitutional. The King, said they, is Morton's prisoner; the pretended counsellors are

[a] Cald. ii. 536.

his slaves; a parliament, to which all the nobles may repair without fear, and where they may deliberate with freedom, is absolutely necessary for settling the nation, after disorders of such long continuance. But in an assembly called contrary to all form, held within the walls of a garrison, and overawed by armed men, what safety could members expect? what liberty could prevail in debate? or what benefit result to the public? The parliament met, however, on the day appointed, and, notwithstanding the protestation of the Earl of Montrose and Lord Lindsay, in name of their party, proceeded to business. The King's acceptance of the government was confirmed; the act granted to Morton, for his security, ratified; some regulations with regard to the numbers and authority of the privy council, were agreed upon; and a pension for life granted to the Countess of Mar, who had been so instrumental in bringing about the late revolution[b]. BOOK VI. 1578. July 25.

Meanwhile Argyll, Athol, and their followers, took arms, upon the specious pretence of rescuing the King from captivity, and the kingdom from oppression. James himself, impatient of the servitude in which he was held by a man whom he had long been taught to hate, secretly encouraged their enterprise; though, at the same time, he was obliged not only to disavow them in public, but to levy forces against them, and even to declare, by proclamation, that he was perfectly free from any constraint, either upon his person or his will. Both sides quickly took the field. Argyll and Athol were Argyll and Athol take arms against him. August 11.

[b] Cald. ii. 547. Parl. 5 Jac. 6.

BOOK VI. 1578.

at the head of seven thousand men; the Earl of Angus, Morton's nephew, met them with an army five thousand strong; neither party, however, was eager to engage. Morton distrusted the fidelity of his own troops. The two Earls were sensible that a single victory, however complete, would not be decisive; and, as they were in no condition to undertake the siege of Stirling-castle, where the King was kept, their strength would soon be exhausted, while Morton's own wealth, and the patronage of the Queen of England, might furnish him with endless resources. By the mediation of Bowes, whom Elizabeth had sent into Scotland to negotiate an accommodation between the two factions, a treaty was concluded, in consequence of which, Argyll and Athol were admitted into the King's presence; some of their party were added to the privy council; and a convention of nobles called, in order to bring all remaining differences to an amicable issue[c].

Elizabeth negotiates an accommodation between them.

As soon as James assumed the government into his own hands, he dispatched the abbot of Dunfermling to inform Elizabeth of that event; to offer to renew the alliance between the two kingdoms; and to demand possession of the estate which had lately fallen to him by the death of his grandmother the Countess of Lennox. The lady's second son had left one daughter, Arabella Stewart, who was born in England. And as the chief objection against the pretensions of the Scottish line to the crown of England, was that maxim of English law, which excludes aliens from any right of inheritance within the king-

[c] Crawf. Mem. 307.

dom, Elizabeth, by granting this demand, would have established a precedent in James's favour, that might have been deemed decisive with regard to a point which it had been her constant care to keep undecided. Without suffering this delicate question to be tried, or allowing any new light to be thrown on that which she considered as the great mystery of her reign, she commanded Lord Burleigh, master of the wards, to sequester the rents of the estate; and, by this method of proceeding, gave the Scottish King early warning how necessary it would be to court her favour, if ever he hoped for success in claims of greater importance, but equally liable to be controverted[d]. BOOK VI. 1578.

After many delays, and with much difficulty, the contending nobles were at last brought to some agreement. But it was followed by a tragical event. Morton, in token of reconcilement, having invited the leaders of the opposite party to a great entertainment, Athol the chancellor was soon after taken ill, and died within a few days. The symptoms and violence of the disease gave rise to strong suspicions of his being poisoned; and though the physicians, who opened his body, differed in opinion as to the cause of the distemper, the Chancellor's relations publicly accused Morton of that odious crime. The advantage which visibly accrued to him by the removal of a man of great abilities, and averse from all his measures, was deemed a sufficient proof of his guilt by the people, who are ever fond of imputing the death of eminent persons to extraordinary causes[e]. 1579. April 24.

[d] Camd. 461. [e] Spotsw. 306.

BOOK VI. 1579.

The office of chancellor was bestowed upon Argyll, whom this preferment reconciled, in a great measure, to Morton's administration. He had now recovered all the authority which he possessed during his regency, and had entirely broken, or baffled, the power and cabals of his enemies. None of the great families remained to be the objects of his jealousy or to obstruct his designs, but that of Hamilton. The Earl of Arran, the eldest brother, had never recovered the shock which he received from the ill success of his passion for the Queen, and had now altogether lost his reason. Lord John, the second brother, was in possession of the family estate. Lord Claud was commendator of Paisley; both of them young men, ambitious and enterprising. Morton dreaded their influence in the kingdom; the courtiers hoped to share their spoils among them; and as all Princes naturally view their successors with jealousy and hatred, it was easy to infuse these passions into the mind of the young King. A pretence was at hand to justify the most violent proceedings. The pardon, stipulated in the treaty of Perth, did not extend to such as were accessary to the murder of the Regents Murray or Lennox. Lord John and his brother were suspected of being the authors of both these crimes, and had been included in a general act of attainder on that account. Without summoning them to trial, or examining a single witness to prove the charge, this attainder was now thought sufficient to subject them to all the penalties which they would have incurred by being formally convicted. The Earls of Morton, Mar, and Eglinton, together with the Lords Ruthven, Boyd, and

Morton's illegal proceedings against the family of Hamilton.

Cathcart, received a commission to seize their persons and estates. On a few hours warning, a considerable body of troops was ready, and marched towards Hamilton in hostile array. Happily the two brothers made their escape, though with great difficulty. But their lands were confiscated; the castles of Hamilton and Draffan besieged; those who defended them punished. The Earl of Arran, though incapable, from his situation, of committing any crime, was involved, by a shameful abuse of law, in the common ruin of his family; and, as if he, too, could have been guilty of rebellion, he was confined a close prisoner. These proceedings, so contrary to the fundamental principles of justice, were all ratified in the subsequent parliament[f]. BOOK VI. 1579.

About this time Mary sent, by Nauè her secretary, a letter to her son, together with some jewels of value, and a vest embroidered with her own hands. But, as she gave him only the title of Prince of Scotland, the messenger was dismissed without being admitted into his presence[g].

Though Elizabeth had, at this time, no particular reason to fear any attempt of the Popish Princes in Mary's favour, she still continued to guard her with the same anxious care. The acquisition of Portugal on the one hand, and the defence of the Netherlands on the other, fully employed the councils and arms of Spain. France, torn in pieces by intestine commotions, and under a weak and capricious Prince, despised and distrusted by his own

[f] Crawf. Mem. 311. Spotsw. 306.
[g] Crawf. Mem. 314.

BOOK VI.

1579.

subjects, was in no condition to disturb its neighbours. Elizabeth had long amused that court by carrying on a treaty of marriage with the Duke of Alençon, the King's brother. But whether, at the age of forty-five, she really intended to marry a Prince of twenty; whether the pleasure of being flattered and courted made her listen to the addresses of so young a lover, whom she allowed to visit her at two different times, and treated with the most distinguishing respect; or whether considerations of interest predominated in this as well as in every other transaction of her reign, are problems in history which we are not concerned to resolve. During the progress of this negotiation, which was drawn out to an extraordinary length, Mary could expect no assistance from the French court, and seems to have held little correspondence with it; and there was no period in her reign, wherein Elizabeth enjoyed more perfect security.

Negotiations for a marriage between Elizabeth and the Duke of Alençon.

Two favourites gain an ascendant over James.

Morton seems at this time to have been equally secure; but his security was not so well founded. He had weathered out one storm, had crushed his adversaries, and was again in possession of the sole direction of affairs. But as the King was now of an age when the character and dispositions of the mind begin to unfold themselves, and to become visible, the smallest attention to these might have convinced him, that there was reason to expect new and more dangerous attacks on his power. James early discovered that excessive attachment to favourites, which accompanied him through his whole life. This passion, which naturally arises from inexperience, and youthful warmth of heart, was, at his age,

far from being culpable; nor could it be well expected that the choice of the objects on whom he placed his affections should be made with great skill. The most considerable of them was Esme Stewart, a native of France, and son of a second brother of the Earl of Lennox. He was distinguished by the title of Lord D'Aubigné, an estate in France, which descended to him from his ancestors, on whom it had been conferred in reward of their valour and services to the French crown. He arrived in Scotland about this time, on purpose to demand the estate and title of Lennox, to which he pretended a legal right. He was received at first by the King with the respect due to so near a relation. The gracefulness of his person, the elegance of his dress, and his courtly behaviour, made a great impression on James, who, even in his more mature years, was little able to resist these frivolous charms; and his affection flowed with its usual rapidity and profusion. Within a few days after Stewart's appearance at court, he was created Lord Aberbrothock, soon after Earl and then Duke of Lennox, Governor of Dumbarton-castle, Captain of the Guard, First Lord of the Bed-chamber, and Lord High Chamberlain. At the same time, and without any of the envy or emulation which is usual among candidates for favour, Captain James Stewart, the second son of Lord Ochiltree, grew into great confidence. But, notwithstanding this union, Lennox and Captain Stewart were persons of very opposite characters. The former was naturally gentle, humane, candid; but unacquainted with the state of the country, and misled or misinformed by

BOOK VI. 1579. Sept. 8.

BOOK VI. 1579. those whom he trusted; not unworthy to be the companion of the young King in his amusements, but utterly disqualified for acting as a minister in directing his affairs. The latter was remarkable for all the vices which render a man formidable to his country, and a pernicious counsellor to his Prince; nor did he possess any one virtue to counterbalance these vices, unless dexterity in conducting his own designs, and an enterprising courage, superior to the sense of danger, may pass by that name. Unrestrained by religion, regardless of decency, and undismayed by opposition, he aimed at objects seemingly unattainable; but, under a Prince void of experience, and blind to all the defects of those who had gained his favour, his audacity was successful; and honours, wealth, and power, were the reward of his crimes.

They labour to undermine Morton's authority.

Both the favourites concurred in employing their whole address to undermine Morton's credit, which alone obstructed their full possesion of power. As James had been bred up with an aversion for that nobleman, who endeavoured rather to maintain the authority of a tutor, than to act with the obsequiousness of a minister, they found it no difficult matter to accomplish their design. Morton, who could no longer keep the King shut up within the walls of Stirling-castle, having called a parliament to meet at Edinburgh, brought him thither. James made his entry into the capital with great solemnity; the citizens received him with the loudest acclamations of joy, and with many expensive pageants, according to the mode of that age. After a long period of thirty-seven years, during which Scotland had

Oct. 17.

been subjected to the delegated power of Regents, or to the feeble government of a woman; after having suffered all the miseries of civil war, and felt the insolence of foreign armies, the nation rejoiced to see the sceptre once more in the hands of a King. Fond even of that shadow of authority, which a Prince of fifteen could possess, the Scots flattered themselves, that union, order, and tranquillity, would now be restored to the kingdom. James opened the parliament with extraordinary pomp, but nothing remarkable passed in it. BOOK VI. 1579.

These demonstrations, however, of the people's love and attachment to their sovereign, encouraged the favourites to continue their insinuations against Morton; and as the King now resided in the palace of Holyrood-house, to which all his subjects had access, the cabal against the Earl grew daily stronger, and the intrigue which occasioned his fall ripened gradually. 1580.

Morton endeavours to prevent them.

Morton began to be sensible of his danger, and endeavoured to put a stop to the career of Lennox's preferment, by representing him as a formidable enemy to the reformed religion, a secret agent in favour of Popery, and a known emissary of the house of Guise. The clergy, apt to believe every rumour of this kind, spread the alarm among the people. But Lennox, either out of complaisance to his master, or convinced by the arguments of some learned divines whom the King appointed to instruct him in the principles of the Protestant religion, publicly renounced the errors of Popery, in the church of St. Giles, and declared himself a member of the church of Scotland, by signing her Con-

BOOK VI. 1580.

fession of Faith. This, though it did not remove all suspicions, nor silence some zealous preachers, abated, in a great degree, the force of the accusation[h].

On the other hand, a rumour prevailed that Morton was preparing to seize the King's person, and to carry him into England. Whether despair of maintaining his power by any other means, had driven him to make any overture of that kind to the English court, or whether it was a calumny invented by his adversaries to render him odious, cannot now be determined with certainty. As he declared at his death that such a design had never entered into his thoughts, the latter seems to be most probable. It afforded a pretence, however, for reviving the office of lord chamberlain, which had been for some time disused. That honour was conferred on Lennox. Alexander Erskine, Morton's capital enemy, was his deputy; they had under them a band of gentlemen, who were appointed constantly to attend the King, and to guard his person[i].

Elizabeth interposes in his behalf.

Morton was not ignorant of what his enemies intended to insinuate by such unusual precautions for the King's safety; and, as his last resource, applied to Elizabeth, whose protection had often stood him in stead in his greatest difficulties. In consequence of this application, Bowes, her envoy, accused Lennox of practices against the peace of the two kingdoms, and insisted, in her name, that he should instantly be removed from the privy council. Such an unprecedented demand was considered by

[h] Crawf. Mem. 319. Spotsw. 308. [i] Crawf. Mem. 320.

the counsellors as an affront to the King, and an encroachment on the independence of the kingdom. They affected to call in question the envoy's powers, and upon that pretence refused him further audience; and he retiring in disgust, and without taking leave, Sir Alexander Home was sent to expostulate with Elizabeth on the subject. After the treatment which her envoy had received, Elizabeth thought it below her dignity to admit Home into her presence. Burleigh, to whom he was commanded to impart his commission, reproached him with his master's ingratitude towards a benefactress who had placed the crown on his head, and required him to advise the King to beware of sacrificing the friendship of so necessary an ally to the giddy humours of a young man without experience, and strongly suspected of principles and attachments incompatible with the happiness of the Scottish nation.

1580.

Morton accused of the murder of the late King.

This accusation of Lennox hastened, in all probability, Morton's fall. The act of indemnity, which he had obtained when he resigned the regency, was worded with such scrupulous exactness, as almost screened him from any legal prosecution. The murder of the late King was the only crime which could not, with decency, be inserted in a pardon granted by his son. Here Morton still lay open to the penalties of the law, and Capt. Stewart, who shunned no action, however desperate, if it led to power or to favour, entered the council-chamber while the King and nobles were assembled, and, falling on his knees, accused Morton of being accessary, or, according to the language of the Scot-

Dec. 30.

BOOK VI. 1580.

tish law, *art and part*, in the conspiracy against the life of His Majesty's father, and offered, under the usual penalties, to verify this charge by legal evidence. Morton, who was present, heard this accusation with firmness; and replied with a disdainful smile, proceeding either from contempt of the infamous character of his accuser, or from consciousness of his own innocence, "that his known zeal in punishing those who were suspected of that detestable crime, might well exempt himself from any suspicion of being accessary to it; nevertheless, he would cheerfully submit to a trial, either in that place or in any other court; and doubted not but his own innocence and the malice of his enemies would then appear in the clearest light." Stewart, who was still on his knees, began to inquire how he would reconcile his bestowing so many honours on Archibald Douglas, whom he certainly knew to be one of the murderers, with his pretended zeal against that crime. Morton was ready to answer. But the

1581. January 2.

King commanded both to be removed. The Earl was confined, first of all to his own house, and then committed to the castle of Edinburgh, of which Alexander Erskine was governor; and, as if it had not been a sufficient indignity to subject him to the power of one of his enemies, he was soon after carried to Dumbarton, of which Lennox had the com-

Jan. 18.

mand. A warrant was likewise issued for apprehending Archibald Douglas; but he, having received timely intelligence of the approaching danger, fled into England[k].

[k] Crawf. Mem. 323.

The Earl of Angus, who imputed these violent proceedings not to hatred against Morton alone, but to the ancient enmity between the houses of Stewart and of Douglas, and who believed that a conspiracy was now formed for the destruction of all who bore that name, was ready to take arms in order to rescue his kinsman. But Morton absolutely forbade any such attempt, and declared that he would rather suffer ten thousand deaths than bring an imputation upon his own character by seeming to decline a trial[1].

Elizabeth's measures in order to save him.

Elizabeth did not fail to interpose, with warmth, in behalf of a man who had contributed so much to preserve her influence over Scotland. The late transactions in that kingdom had given her great uneasiness. The power which Lennox had acquired independent of her was dangerous; the treatment her ambassadors had met with differed greatly from the respect with which the Scots were in use to receive her ministers; and the attack now made on Morton, fully convinced her that there was an intention to sow the seeds of discord between the two nations, and to seduce James into a new alliance with France, or into a marriage with some Popish Princess. Full of these apprehensions, she ordered a considerable body of troops to be assembled on the borders of Scotland, and dispatched Randolph as her ambassador into that kingdom. He addressed himself not only to James, and to his council, but to a convention of estates met at that time. He began with enumerating the extraordinary benefits which

[1] Johnst. 64. Spotsw. 311.

BOOK VI. 1581. Elizabeth had conferred on the Scottish nation: that without demanding a single foot of land for herself, without encroaching on the liberties of the kingdom in the smallest article, she had, at the expense of the blood of her subjects and the treasures of her crown, rescued the Scots from the dominion of France, established among them true religion, and put them in possession of their ancient rights: that from the beginning of civil dissentions in the kingdom, she had protected those who espoused the King's cause, and by her assistance alone, the crown had been preserved on his head, and all the attempts of the adverse faction baffled: that an union, unknown to their ancestors, but equally beneficial to both kingdoms, had subsisted for a long period of years, and though so many Popish Princes had combined to disturb this happy state of things, her care, and their constancy, had hitherto defeated all these efforts: that she had observed of late an unusual coldness, distrust, and estrangement in the Scottish council, which she could impute to none but to Lennox, a subject of France, a retainer to the house of Guise, bred up in the errors of popery, and still suspected of favouring that superstition. Not satisfied with having mounted so fast to an uncommon height of power, which he exercised with all the rashness of youth, and all the ignorance of a stranger; nor thinking it enough to have deprived the Earl of Morton of the authority due to his abilities and experience, he had conspired the ruin of that nobleman, who had often exposed his life in the King's cause, who had contributed more than any other subject to place him on the

throne, to resist the encroachments of Popery, and to preserve the union between the two kingdoms. If any zeal for religion remained among the nobles in Scotland, if they wished for the continuance of amity with England, if they valued the privileges of their own order, he called upon them, in the name of his mistress, to remove such a pernicious counsellor as Lennox from the presence of the young King, to rescue Morton out of the hands of his avowed enemy, and secure to him the benefit of a fair and impartial trial: and if force was necessary towards accomplishing a design so salutary to the King and kingdom, he promised them the protection of his mistress in the enterprise, and whatever assistance they should demand, either of men or money[m]. BOOK VI. 1581.

But these extraordinary remonstrances, accompanied with such an unusual appeal from the King to his subjects, were not the only means employed by Elizabeth in favour of Morton, and against Lennox. She persuaded the Prince of Orange to send an agent into Scotland, and, under colour of complimenting James on account of the valour which many of his subjects had displayed in the service of the States, to enter into a long detail of the restless enterprises of the Popish Princes against the Protestant religion; to beseech him to adhere inviolably to the alliance with England, the only barrier which secured his kingdom against their dangerous cabals; and, above all things, to distrust the insinuations of those who endeavoured to weaken or to

[m] Cald. iii. 6. Strype, ii. 621.

BOOK VI. 1581.

dissolve that union between the British nations, which all the Protestants in Europe beheld with so much pleasure[n].

James determines to proceed against him.

James's counsellors were too intent upon the destruction of their enemy to listen to these remonstrances. The officious interposition of the Prince of Orange, the haughty tone of Elizabeth's message, and her avowed attempt to excite subjects to rebel against their sovereign, were considered as unexampled insults on the majesty and independence of a crowned head. A general and evasive answer was given to Randolph. James prepared to assert his own dignity with spirit. All those suspected of favouring Morton were turned out of office, some of them were required to surrender themselves prisoners; the men capable of bearing arms throughout the kingdom were commanded to be in readiness to take the field; and troops were levied and posted on the borders. The English ambassador, finding that neither the public manifesto which he had delivered to the convention, nor his private cabals with the nobles, could excite them to arms, fled in the night-time out of Scotland, where libels against him had been daily published, and even attempts made upon his life. In both kingdoms every thing wore an hostile aspect. But Elizabeth, though she wished to have intimidated the Scottish King by her preparations, had no inclination to enter into a war with him; and the troops on the borders, which had given such umbrage, were soon dispersed[o].

[n] Cald. iii. 9. See Append. No. XLI.

[o] Crawf. Mem. 328. Strype, ii. App. 138.

The greater solicitude Elizabeth discovered for Morton's safety, the more eagerly did his enemies drive on their schemes for his destruction. Captain Stewart, his accuser, was first appointed *tutor* to the Earl of Arran, and soon after both the title and estate of his unhappy ward, to which he advanced some frivolous claim, were conferred upon him. The new-made peer was commanded to conduct Morton from Dumbarton to Edinburgh; and by that choice the Earl was not only warned what fate he might expect, but had the cruel mortification of seeing his deadly enemy already loaded with honours, in reward of the malice with which he had contributed to his ruin. 1581.

He is tried and condemned.

The records of the court of *justiciary* at this period are lost. The account which our historians give of Morton's trial is inaccurate and unsatisfactory. The proceedings against him seem to have been carried on with violence. During the trial, great bodies of armed men were drawn up in different parts of the city. The jury was composed of the Earl's known enemies; and though he challenged several of them, his objections were overruled. After a short consultation, his peers found him guilty of concealing, and of being *art and part* in the conspiracy against the life of the late King. The first part of the verdict did not surprise him, but he twice repeated the words *art and part* with some vehemence, and added, "God knows it is not so." The doom which the law decrees against a traitor was pronounced. The King, however, remitted the cruel and ignominious part of the sen-

BOOK VI. tence, and appointed that he should suffer death next day, by being beheaded[p].

1581. His death. During that awful interval, Morton possessed the utmost composure of mind. He supped cheerfully; slept a part of the night in his usual manner, and employed the rest of his time in religious conferences, and in acts of devotion with some ministers of the city. The clergymen who attended him, dealt freely with his conscience, and pressed his crimes home upon him. What he confessed with regard to the crime for which he suffered, is remarkable, and supplies, in some measure, the imperfection of our records. He acknowledged, that on his return from England, after the death of Rizio, Bothwell had informed him of the conspiracy against the King, which the Queen, as he told him, knew of and approved: that he solicited him to concur in the execution of it, which at that time he absolutely declined; that soon after Bothwell himself, and Archibald Douglas, in his name, renewing their solicitations to the same purpose, he had required a warrant under the Queen's hand, authorizing the attempt, and as that had never been produced, he had refused to be any further concerned in the matter. "But," continued he, "as I neither "consented to this treasonable act, nor assisted in "the committing of it, so it was impossible for me "to reveal, or to prevent it. To whom could I "make the discovery? The Queen was the author "of the enterprise. Darnly was such a changeling,

[p] Spotsw. 314. Johnst. 65. Crawf. Mem. 332. Cald. iii. 45. Arnot's Crimin. Trials, 388.

" that no secret could be safely communicated to him. Huntly and Bothwell, who bore the chief sway in the kingdom, were themselves the perpetrators of the crime." These circumstances, it must be confessed, go some length towards extenuating Morton's guilt; and though his apology for the favour he had shown to Archibald Douglas, whom he knew to be one of the conspirators, be far less satisfactory, no uneasy reflections seem to have disquieted his own mind on that account[q]. When his keepers told him that the guards were attending, and all things in readiness, "I praise my God," said he, "I am ready likewise." Arran commanded these guards; and even in those moments when the most implacable hatred is apt to relent, the malice of his enemies could not forbear this insult. On the scaffold, his behaviour was calm; his countenance and voice unaltered; and, after some time spent in devotion, he suffered death with the intrepidity which became the name of Douglas. His head was placed on the public gaol of Edinburgh; and his body, after lying till sun-set on the scaffold, covered with a beggarly cloak, was carried by common porters to the usual burial-place of criminals. None of his friends durst accompany it to the grave, or discover their gratitude and respect by any symptoms of sorrow[r].

Odious conduct of Arran.

Arran, no less profligate in private life than audacious in his public conduct, soon after drew the attention of his countrymen by his infamous marriage with the Countess of March. Before he grew

[q] Crawf. Mem. App. iii. [r] Crawf. Mem. 334. Spotsw. 314.

BOOK VI. 1581. into favour at court, he had been often entertained in her husband's house, and, without regarding the laws of hospitality or of gratitude, carried on a criminal intrigue with the wife of his benefactor, a woman young and beautiful, but, according to the description of a cotemporary historian, "intolerable in all the imperfections incident to her sex." Impatient of any restraint upon their mutual desires, they, with equal ardour, wished to avow their union publicly, and to legitimate, by a marriage, the offspring of their unlawful passion. The Countess petitioned to be divorced from her husband, for a reason which no modest woman will ever plead. The judges, over-awed by Arran, passed
July 6. sentence without delay. This infamous scene was concluded by a marriage, solemnised with great pomp, and beheld by all ranks of men with the utmost horror[s].

Oct. 24. A parliament was held this year, at the opening of which some disputes arose between Arran and the new created Duke of Lennox. Arran, haughty by nature, and pushed on by his wife's ambition, began to affect an equality with the Duke, under whose protection he had hitherto been contented to place himself. After various attempts to form a party in the council against Lennox, he found him fixed so firmly in the King's affections, that it was impossible to shake him; and, rather than lose all interest at court, from which he was banished, he made the most humble submissions to the favourite, and again recovered his former credit. This rupture

[s] Spotsw. 315.

contributed, however, to render the Duke still more odious to the nation. During the continuance of it, Arran affected to court the clergy, pretended an extraordinary zeal for the Protestant religion, and laboured to confirm the suspicions which were entertained of his rival, as an emissary of the house of Guise, and a favourer of Popery. As he was supposed to be acquainted with the Duke's most secret designs, his calumnies were listened to with greater credit than was due to his character. To this rivalship between Lennox and Arran, during the continuance of which each endeavoured to conciliate the good will of the clergy, we must ascribe several acts of this parliament uncommonly favourable to the church, particularly one which abolished the practice introduced by Morton, of appointing but one minister to several parishes. 1581.

Ecclesiastical affairs.

No notice hath been taken for several years of ecclesiastical affairs. While the civil government underwent so many extraordinary revolutions, the church was not free from convulsions. Two objects chiefly engrossed the attention of the clergy. The one was, the forming a system of discipline, or ecclesiastical polity. After long labour, and many difficulties, this system was at last brought to some degree of perfection. The assembly solemnly approved of it, and appointed it to be laid before the privy council in order to obtain the ratification of it in parliament. But Morton, during his administration, and those who, after his fall, governed the King, were equally unwilling to see it carried into execution; and, by starting difficulties and throwing in objections, prevented it from receiving a le-

BOOK VI. 1581.

gal sanction. The other point in view was the abolition of the episcopal order. The bishops were so devoted to the King, to whom they owed their promotion, that the function itself was by some reckoned dangerous to civil liberty. Being allowed a seat in parliament, and distinguished by titles of honour, these not only occasioned many avocations from their spiritual functions, but soon rendered their character and manners extremely different from those of the clergy in that age. The nobles viewed their power with jealousy; the populace considered their lives as profane; and both wished their downfall, with equal ardour. The personal emulation between Melvil and Adamson, a man of learning and eminent for his popular eloquence, who was promoted, on the death of Douglas, to be Archbishop of St. Andrew's, mingled itself with the passions on each side, and heightened them. Attacks were made in every assembly on the order of bishops; their privileges were gradually circumscribed; and at last an act was passed, declaring the office of bishop, as it was then exercised within the realm, to have neither foundation nor warrant in the word of God; and requiring, under pain of excommunication, all who now possessed that office, instantly to resign it, and to abstain from preaching or administering the sacraments until they should receive permission from the General Assembly. The court did not acquiesce in this decree. A vacancy happening soon after in the see of Glasgow, Montgomery minister at Stirling, a man vain, fickle, presumptuous, and more apt, by the blemishes in his character, to have alienated the

people from an order already beloved, than to reconcile them to one which was the object of their hatred, made an infamous simoniacal bargain with Lennox, and on his recommendation was chosen archbishop. The presbytery of Stirling, of which he was a member, the presbytery of Glasgow, whither he was to be translated, the General Assembly, vied with each other in prosecuting him on that account. In order to screen Montgomery, James made trial both of gentle and of rigorous measures, and both were equally ineffectual. The General Assembly was just ready to pronounce against him the sentence of excommunication, when an herald entered, and commanded them in the King's name, and under pain of rebellion, to stop further proceedings. Even this injunction they despised; and though Montgomery, by his tears and seeming penitence, procured a short respite, the sentence was at last issued by their appointment, and published in all the churches throughout the kingdom. BOOK VI. 1582.

The firmness of the clergy in a collective body was not greater than the boldness of some individuals, particularly of the ministers of Edinburgh. They inveighed daily against the corruptions in the administration; and, with the freedom of speech admitted into the pulpit in that age, named Lennox and Arran as the chief authors of the grievances under which the church and kingdom groaned. The courtiers, in their turn, complained to the King of the insolent and seditious spirit of the clergy. In order to check the boldness of their discourses, James issued a proclamation, commanding Dury, one of the most popular ministers, not only

BOOK VI. 1582.

to leave the town, but to abstain from preaching in any other place. Dury complained to the judicatories of this encroachment upon the immunities of his office. They approved of the doctrine which he had delivered; and he determined to disregard the royal proclamation. But the magistrates being determined to compel him to leave the city, according to the King's orders, he was obliged to abandon his charge, after protesting publicly, at the cross of Edinburgh, against the violence which was put upon him. The people accompanied him to the gates with tears and lamentations; and the clergy denounced the vengeance of Heaven against the authors of this outrage[t].

In this perilous situation stood the church, the authority of its judicators called in question, and the liberty of the pulpit restrained, when a sudden revolution of the civil government procured them unexpected relief.

His favourites engage the King in unpopular measures.

The two favourites, by their ascendant over the King, possessed uncontrouled power in the kingdom, and exercised it with the utmost wantonness. James usually resided at Dalkeith, or Kinneil, the seats of Lennox and of Arran, and was attended by such company, and employed in such amusements, as did not suit his dignity. The services of those who had contributed most to place the crown on his head were but little remembered. Many who had opposed him with the greatest virulence, enjoyed the rewards and honours to which the others were entitled. Exalted notions of regal prerogative,

[t] Cald. Assem. 1576—1582. Spotsw. 277, &c.

utterly inconsistent with the constitution of Scotland, being instilled by his favourites into the mind of the young monarch, unfortunately made, at that early age, a deep impression there, and became the source of almost all his subsequent errors in the government of both kingdoms[u]. Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the slightest neglect of any of the numerous forms which are peculiar to the feudal holdings, they were fined with unusual and intolerable rigour. The lord chamberlain revived the obsolete jurisdiction of his office over the boroughs, and they were subjected to actions no less grievous. A design seemed likewise to have been formed to exasperate Elizabeth, and to dissolve the alliance with her, which all good Protestants esteemed the chief security of their religion in Scotland. A close correspondence was carried on between the King and his mother, and considerable progress made towards uniting their titles to the crown by such a treaty of association as Maitland had projected; which could not fail of endangering or diminishing his authority, and must have proved fatal to those who had acted against her with the greatest vigour[x]. 1582.

The nobles conspire against them.

All these circumstances irritated the impatient spirit of the Scottish nobles, who resolved to tolerate no longer the insolence of the two minions, or to stand by while their presumption and inexperience ruined both the King and the kingdom. Elizabeth, who, during the administration of the

[u] Cald. iii. 157.

[x] Id. ibid. 357.

BOOK VI. 1582. four Regents, had the entire direction of the affairs of Scotland, felt herself deprived of all influence in that kingdom ever since the death of Morton, and was ready to countenance any attempt to rescue the King out of the hands of favourites who were leading him into measures so repugnant to all her views. The Earls of Mar and Glencairn, Lord Ruthven, lately created Earl of Gowrie, Lord Lindsay, Lord Boyd, the tutor of Glamis, the eldest son of Lord Oliphant, with several barons and gentlemen of distinction, entered into a combination for that purpose; and as changes in administration, which among polished nations are brought about slowly and silently by artifice and intrigue, were in that rude age effected suddenly and by violence, the King's situation, and the security of the favourites, encouraged the conspirators to have immediate recourse to force.

Seize the King's person at Ruthven.

James, after having resided for some time in Athol, where he enjoyed his favourite amusement of hunting, was now returning towards Edinburgh with a small train. He was invited to Ruthven castle, which lay in his way; and as he suspected no danger, he went thither in hopes of further sport. The multitude of strangers whom he found there gave him some uneasiness; and as those who were in the secret arrived every moment from different parts, the appearance of so many new faces increased his fears. He concealed his uneasiness, however, with the utmost care; and next morning prepared for the field, expecting to find there some opportunity of making his escape. But just as he was ready to depart, the nobles entered his bed-

Aug. 12.

chamber in a body, and presented a memorial against the illegal and oppressive actions of his two favourites, whom they represented as most dangerous enemies to the religion and liberties of the nation. James, though he received this remonstrance with the complaisance which was necessary in his present situation, was extremely impatient to be gone; but as he approached the door of his apartment, the tutor of Glamis rudely stopped him. The King complained, expostulated, threatened, and, finding all these without effect, burst into tears: "No matter," said Glamis fiercely, "better children weep than bearded men." These words made a deep impression on the King's mind, and were never forgotten. The conspirators, without regarding his tears or indignation, dismissed such of his followers as they suspected; allowed none but persons of their own party to have access to him; and, though they treated him with great respect, guarded his person with the utmost care. This enterprise is usually called, by our historians, *The Raid of Ruthven*[y]. 1582.

Commit Arran to prison.

Lennox and Arran were astonished to the last degree at an event so unexpected, and so fatal to their power. The former endeavoured, but without success, to excite the inhabitants of Edinburgh to take arms in order to rescue their sovereign from captivity. The latter, with his usual impetuosity, mounted on horseback the moment he heard what had befallen the King, and with a few followers rode towards Ruthven castle; and as a considerable

[y] Cald. iii. 134. Spotsw. 320. Melv. 357.

BOOK VI. 1582.

body of the conspirators, under the command of the Earl of Mar, lay in his way ready to oppose him, he separated himself from his companions, and with two attendants arrived at the gate of the castle. At the sight of a man so odious to his country, the indignation of the conspirators rose, and instant death must have been the punishment of his rashness, if the friendship of Gowrie, or some other cause not explained by our historians, had not saved a life so pernicious to the kingdom. He was confined, however, to the castle of Stirling, without being admitted into the King's presence.

Command Lennox to leave the kingdom.

The King, though really the prisoner of his own subjects, with whose conduct he could not help discovering many symptoms of disgust, was obliged to publish a proclamation, signifying his approbation of their enterprise, declaring that he was at full liberty, without any restraint or violence offered to his person; and forbidding any attempt against those concerned in the *Raid of Ruthven*, under pretence of rescuing him out of their hands. At the same time, he commanded Lennox to leave Scotland before the twentieth of September[z].

Aug. 28.

The conspirators countenanced by Elizabeth.

Soon after, Sir George Carey and Robert Bowes arrived as ambassadors from Elizabeth. The pretext of their embassy was to inquire after the King's safety; to encourage and countenance the conspirators was the real motive of it. By their intercession, the Earl of Angus, who, ever since the death of his uncle Morton, had lived in exile, obtained leave to return. And the accession of a nobleman

[z] Cald. iii. 135. 138.

so powerful and so popular strengthened the faction[a].

1582.

Lennox, whose amiable and gentle qualities had procured him many friends, and who received private assurances that the King's favour towards him was in no degree abated, seemed resolved, at first, to pay no regard to a command extorted by violence, and no less disagreeable to James than it was rigorous with regard to himself. But the power of his enemies, who were masters of the King's person, who were secretly supported by Elizabeth, and openly applauded by the clergy, deterred him from any enterprise the success of which was dubious, and the danger certain both to himself and to his sovereign. He put off the time of his departure, however, by various artifices, in expectation either that James might make his escape from the conspirators, or that fortune might present some more favourable opportunity of taking arms for his relief.

Their conduct approved by an assembly and a convention of estates.

On the other hand, the conspirators were extremely solicitous not only to secure the approbation of their countrymen, but to obtain some legal sanction of their enterprise. For this purpose they published a long declaration, containing the motives which had induced them to venture on such an irregular step, and endeavoured to heighten the public indignation against the favourites, by representing, in the strongest colours, their inexperience and insolence, their contempt of the nobles, their violation of the privileges of the church, and their oppression of the people. They obliged the King,

[a] Cal. iii. 152.

BOOK VI. 1582.

who could not with safety refuse any of their demands, to grant them a remission in the most ample form; and, not satisfied with that, they applied to the assembly of the church, and easily procured an act, declaring, "that they had done good and acceptable service to God, to their sovereign, and to their native country;" and requiring all sincere Protestants to concur with them in carrying forward such a laudable enterprise. In order to add the greater weight to this act, every minister was enjoined to read it in his own pulpit, and to inflict the censures of the church on those who set themselves in opposition to so good a cause. A convention of estates assembled a few days after, passed an act to the same effect, and granted full indemnity to the conspirators for every thing they had done[b].

October 3.

Lennox's departure from Scotland.

James was conducted by them, first to Stirling, and afterwards to the palace of Holyrood-house; and though he was received every where with the external marks of respect due to his dignity, his motions were carefully observed, and he was under a restraint no less strict than at the first moment when he was seized by the conspirators. Lennox, after eluding many commands to depart out of the kingdom, was at last obliged to begin his journey. He lingered however for some time in the neighbourhood of Edinburgh, as if he had still intended to make some effort towards restoring the King to liberty. But either from the gentleness of his own disposition, averse to bloodshed and the disorders

[b] Cald. iii. 177. 187. 200. Spotsw. 322.

of civil war, or from some other cause unknown to us, he abandoned the design, and set out for France by the way of England. The King issued the order for his departure with no less reluctance than the Duke obeyed it; and both mourned a separation, which neither of them had power to prevent. Soon after his arrival in France, the fatigue of the journey, or the anguish of his mind, threw him into a fever. In his last moments he discovered such a firm adherence to the Protestant faith, as fully vindicates his memory from the imputation of an attachment to Popery, with which he had been uncharitably loaded in Scotland[c]. As he was the earliest, and best beloved, he was, perhaps, the most deserving, though not the most able, of all James's favourites. The warmth and tenderness of his master's affection for him were not abated by death itself. By many acts of kindness and generosity towards his posterity, the King not only did great honour to the memory of Lennox, but set his own character in one of its most favourable points of view.

BOOK VI. 1582. Dec. 30.

The success of the conspiracy which deprived James of liberty made great noise over all Europe, and at last reached the ears of Mary in the prison to which she was confined. As her own experience had taught her what injuries a captive Prince is exposed to suffer; and as many of those who were now concerned in the enterprise against her son, were the same persons whom she considered as the chief authors of her own misfortunes, it was natu-

Mary's anxiety about her son.

[c] Spotsw. 324. Cald. iii. 172.

BOOK VI.

ral for the tenderness of a mother to apprehend that the same calamities were ready to fall on his head; and such a prospect did not fail of adding to the distress and horror of her own situation. In the anguish of her heart, she wrote to Elizabeth, complaining in the bitterest terms of the unprecedented rigour with which she herself had been treated, and beseeching her not to abandon her son to the mercy of his rebellious subjects; nor permit him to be involved in the same misfortunes under which she had so long groaned. The peculiar vigour and acrimony of style, for which this letter is remarkable, discovered both the high spirit of the Scottish Queen, unsubdued by her sufferings, and the violence of her indignation at Elizabeth's artifices and severity. But it was ill adapted to gain the end which she had in view, and accordingly it neither procured any mitigation of the rigour of her own confinement, nor any interposition in favour of the King[d].

1582.

1583. Ambassadors arrive from France and England.

Henry III. who, though he feared and hated the Princes of Guise, was often obliged to court their favour, interposed with warmth, in order to extricate James out of the hands of a party so entirely devoted to the English interest. He commanded M. de la Motte Fenelon, his ambassador at the court of England, to repair to Edinburgh, and to contribute his utmost endeavours towards placing James in a situation more suitable to his dignity. As Elizabeth could not, with decency, refuse him liberty to execute his commission, she appointed Davison to

[d] Camd. 489.

attend him into Scotland as her envoy, under colour of concurring with him in the negotiation, but in reality to be a spy upon his motions, and to obstruct his success. James, whose title to the crown had not hitherto been recognised by any of the Princes on the continent, was extremely fond of such an honourable embassy from the French Monarch; and on that account, as well as for the sake of the errand on which he came, received Fenelon with great respect. The nobles, in whose power the King was, did not relish this interposition of the French court, which had long lost its ancient influence over the affairs of Scotland. The clergy were alarmed at the danger to which religion would be exposed, if the Princes of Guise should recover any ascendant over the public councils. Though the King tried every method for restraining them within the bounds of decency, they declaimed against the court of France, against the Princes of Guise, against the ambassador, against entering into any alliance with such notorious persecutors of the church of God, with a vehemence which no regular government would now tolerate, but which was then extremely common. The ambassador, watched by Davison, distrusted by the nobles, and exposed to the insults of the clergy and of the people, returned into England without procuring any change in the King's situation, or receiving any answer to a proposal which he made, that the government should be carried on in the joint names of James and the Queen his mother[e].

BOOK VI. 1583. Jan. 7.

[e] Cald. iii. 207. Spotsw. 324. Murdin, 372, &c. See Appendix, No. XLII.

BOOK VI. 1583.

Meanwhile James, though he dissembled with great art, became every day more uneasy under his confinement; his uneasiness rendered him continually attentive to find out a proper opportunity for making his escape; and to this attention he at last owed his liberty, which the King of France was not able, nor the Queen of England willing, to procure for him. As the conspirators had forced Lennox out of the kingdom, and kept Arran at a distance from court, they grew secure; and imagining that time had reconciled the King to them, and to his situation, they watched him with little care. Some occasions of discord had arisen among themselves; and the French ambassador, by fomenting these during the time of his residence in Scotland, had weakened the union, in which alone their safety consisted[f]. Colonel William Stewart, the commander of the band of gentlemen who guarded the King's person, being gained by James, had the principal merit in the scheme for restoring his master to liberty. Under pretence of paying a visit to the Earl of March, his grand-uncle, James was permitted to go from Falkland to St. Andrew's. That he might not create any suspicion, he lodged at first in an open defenceless house in the town; but pretending a curiosity to see the castle, no sooner was he entered with some of his attendants whom he could trust, than Colonel Stewart commanded the gates to be shut, and excluded all the rest of his train. Next morning the Earls of Argyll, Huntly, Crawford, Montrose, Rothes, with others to whom the

James escapes out of the hands of the conspirators.

June 27.

[f] Camd. 482.

secret had been communicated, entered the town with their followers; and though Mar, with several of the leaders of the faction, appeared in arms, they found themselves so far outnumbered, that it was in vain to think of recovering possession of the King's person, which had been in their power somewhat longer than ten months. James was naturally of so soft and ductile a temper, that those who were near his person commonly made a deep impression on his heart, which was formed to be under the sway of favourites. As he remained implacable and unreconciled to the conspirators during so long a time, and at a period of life when resentments are rather violent than lasting, they must either have improved the opportunities of insinuating themselves into favour with little dexterity, or the indignation, with which this first insult to his person and authority filled him, must have been very great.

Resolves, however, to treat them with moderation.

His joy at his escape was youthful and excessive. He resolved, however, by the advice of Sir James Melvil, and his wisest counsellors, to act with the utmost moderation. Having called into his presence the leaders of both factions, the neighbouring gentry, the deputies of the adjacent boroughs, the ministers and the heads of colleges, he declared, that although he had been held under restraint for some time by violence, he would not impute that as a crime to any man, but, without remembering the irregularities which had been so frequent during his minority, would pass a general act of oblivion, and govern all his subjects with undistinguishing and equal affection. As an evidence of his sincerity, he visited the Earl of Gowrie, at Ruthven cas-

BOOK VI. 1583.

tle, and granted him a full pardon of any guilt he had contracted by the crime committed in that very place [g].

But Arran regains his ascendant over him;

But James did not adhere long to this prudent and moderate plan. His former favourite, the Earl of Arran, had been permitted for some time to reside at Kinneil, one of his country seats. As soon as the King felt himself at liberty, his love for him began to revive, and he expressed a strong desire to see him. The courtiers violently opposed the return of a minion, whose insolent and overbearing temper they dreaded as much as the nation detested his crimes. James, however, continued his importunity, and promising that he should continue with him no longer than one day, they were obliged to yield. This interview rekindled ancient affection; the King forgot his promise; Arran regained his ascendant over him; and within a few days resumed the exercise of power, with all the arrogance of an undeserving favourite, and all the rashness peculiar to himself [h].

and the King pursues another plan.

The first effect of his influence was a proclamation with regard to those concerned in the *Raid of Ruthven*. They were required to acknowledge their crime in the humblest manner; and the King promised to grant them a full pardon, provided their future conduct were such as did not oblige him to remember past miscarriages. The tenor of this proclamation was extremely different from the act of oblivion which the conspirators had been encouraged to expect. Nor did any of them reckon it safe to

[g] Melv. 272. [h] Ibid. 274.

rely on a promise clogged with such an equivocal condition, and granted by a young Prince under the dominion of a minister void of faith, regardless of decency, and transported by the desire of revenge even beyond the usual ferocity of his temper. Many of the leaders, who had at first appeared openly at court, retired to their own houses; and, foreseeing the dangerous storm which was gathering, began to look out for a retreat in foreign countries[i].

Elizabeth's solicitations in behalf of the conspirators. August 7.

Elizabeth, who had all along protected the conspirators, was extremely disgusted with measures which tended so visibly to their destruction, and wrote to the King a harsh and haughty letter, reproaching him, in a style very uncommon among Princes, with breach of faith in recalling Arran to court, and with imprudence in proceeding so rigorously against his best and most faithful subjects. James, with a becoming dignity, replied, that promises extorted by violence, and conditions yielded out of fear, were no longer binding when these were removed; that it belonged to him alone to choose what ministers he would employ in his service; and that though he resolved to treat the conspirators at Ruthven with the utmost clemency, it was necessary, for the support of his authority, that such an insult on his person should not pass altogether uncensured[k].

Sept. 1. Walsingham's embassy into Scotland.

Elizabeth's letter was quickly followed by Walsingham her secretary, whom she appointed her ambassador to James, and who appeared at the Scottish court with a splendour and magnificence well

[i] Melv. 278. Spotsw. 326. Cald. iii. 330. [k] Melv. 279.

BOOK VI. 1583.

calculated to please and dazzle a young Prince. Walsingham was admitted to several conferences with James himself, in which he insisted on the same topics contained in the letter, and the King repeated his former answers.

After suffering several indignities from the arrogance of Arran and his creatures, he returned to England without concluding any new treaty with the King. Walsingham was, next to Burleigh, the minister on whom the chief weight of the English administration rested; and when a person of his rank stept so far out of the ordinary road of business, as to undertake a long journey in his old age, and under a declining state of health, some affair of consequence was supposed to be the cause, or some important event was expected to be the effect of this measure. But as nothing conspicuous either occasioned or followed this embassy, it is probable that Elizabeth had no other intention in employing this sagacious minister, than to discover, with exactness, the capacity and disposition of the Scottish King, who was now arrived at a time of life when, with some degree of certainty, conjectures might be formed concerning his character and future conduct. As James possessed talents of that kind which make a better figure in conversation than in action, he gained a great deal by this interview with the English secretary, who, notwithstanding the cold reception which he met with, gave such an advantageous representation of his abilities, as determined Elizabeth to treat him, henceforward, with greater decency and respect[1].

[1] Melv. 293. Cald. iii. 258. Jebb, ii. 536.

Elizabeth's eagerness to protect the conspirators rendered James more violent in his proceedings against them. As they had all refused to accept of pardon upon the terms which he had offered, they were required, by a new proclamation, to surrender themselves prisoners. The Earl of Angus alone complied; the rest either fled into England, or obtained the King's licence to retire into foreign parts. A convention of estates was held, the members of which, deceived by an unworthy artifice of Arran's, declared those concerned in the *Raid of Ruthven* to have been guilty of high treason; appointed the act passed last year approving of their conduct to be expunged out of the records; and engaged to support the King in prosecuting the fugitives with the utmost rigour of law. BOOK VI. 1583. Dec. 17.

The conspirators, though far from having done any thing that was uncommon in that age, among mutinous nobles, and under an unsettled state of government, must be acknowledged to have been guilty of an act of treason against their sovereign; and James, who considered their conduct in this light, had good reason to boast of his clemency, when he offered to pardon them upon their confessing their crime. But, on the other hand, it must be allowed that, after the King's voluntary promise of a general oblivion, they had some reason to complain of breach of faith, and, without the most unpardonable imprudence, could not have put their lives in Arran's power.

The interest of the church was considerably affected by these contrary revolutions. While the conspirators kept possession of power, the clergy 1584. The clergy favour the conspira-

BOOK VI. 1584.

not only recovered, but extended, their privileges. As they had formerly declared the hierarchy to be unlawful, they took some bold measures towards exterminating the episcopal order out of the church; and it was owing more to Adamson's dexterity in perplexing and lengthening out the process for that purpose, than to their own want of zeal, that they did not deprive, and perhaps excommunicate, all the bishops in Scotland. When the King recovered his liberty, things put on a very different aspect. The favour bestowed upon Arran, the enemy of every thing decent and sacred, and the rigorous prosecution of those nobles who had been the most zealous defenders of the Protestant cause, were considered as sure presages of the approaching ruin of the church. The clergy could not conceal their apprehensions, nor view this impending danger in silence. Dury, who had been restored to his office as one of the ministers of Edinburgh, openly applauded the *Raid of Ruthven* in the pulpit; at which the King was so enraged, that, notwithstanding some symptoms of his submission, he commanded him to resign his charge in the city. Mr. Andrew Melvil, being summoned before the privy council to answer for the doctrine which he had uttered in a sermon at St. Andrew's, and accused of comparing the present grievances of the nation with those under James III., and of intimating obliquely that they ought to be redressed in the same manner, thought it incumbent on him to behave with great firmness. He declined the jurisdiction of a civil court in a cause which he maintained to be purely ecclesiastical; the presbytery, of which

tors, and irritate the King.

he was a member, had, as he contended, the sole right to call him to account, for words spoken in the pulpit; and neither the King nor council could judge, in the first instance, of the doctrine delivered by preachers, without violating the immunities of the church. This exemption from civil jurisdiction was a privilege which the Popish ecclesiastics, admirable judges of whatever contributed to increase the lustre or power of their body, had long struggled for, and had at last obtained. If the same plea had now been admitted, the Protestant clergy would have become independent on the civil magistrate; and an order of men extremely useful to society, while they inculcate those duties which tend to promote its happiness and tranquillity, might have become no less pernicious, by teaching without fear or controul the most dangerous principles, or by exciting their hearers to the most desperate and lawless actions. The King, jealous to excess of his prerogative, was alarmed at this daring encroachment on it; and as Melvil, by his learning and zeal, had acquired the reputation and authority of head of the party, he resolved to punish him with the rigour which that pre-eminence rendered necessary, and to discourage, by a timely severity, the revival of such a dangerous claim. Melvil, however, avoided his rage, by flying into England; and the pulpits resounded with complaints that the King had extinguished the light of learning in the kingdom, and deprived the church of the ablest and most faithful guardian of its liberties and discipline[m].

BOOK VI. 1584.

[m] Spotsw. 330. Cald. iii. 304.

BOOK VI. 1584.

These violent declamations of the clergy against the measures of the court were extremely acceptable to the people. The conspirators, though driven out of the kingdom, still possessed great influence there; and as they had every thing to fear from the resentment of a young Prince, irritated by the furious counsels of Arran, they never ceased soliciting their adherents to take arms in their defence. Gowrie, the only person among them who had submitted to the King, and accepted of a pardon, soon repented of a step which lost him the esteem of one party, without gaining the confidence of the other; and, after suffering many mortifications from the King's neglect and the haughtiness of Arran, he was at last commanded to leave Scotland, and to reside in France. While he waited at Dundee for an opportunity to embark, he was informed that the Earls of Angus, Mar, and the tutor of Glamis, had concerted a scheme for surprising the castle of Stirling. In his situation, little persuasion was necessary to draw him to engage in it. Under various pretexts he put off his voyage, and lay ready to take arms on the day fixed by the conspirators for the execution of their enterprise. His lingering so long at Dundee, without any apparent reason, awakened the suspicion of the court, proved fatal to himself, and disappointed the success of the conspiracy. Colonel William Stewart surrounded the house where he lodged with a body of soldiers, and, in spite of his resistance, took him prisoner. Two days after, Angus, Mar, and Glamis seized the castle of Stirling, and, erecting their standard there, published a manifesto, declaring that they took arms

for no other reason but to remove from the King's presence a minion who had acquired power by the most unworthy actions, and who exercised it with the most intolerable insolence. The account of Gowrie's imprisonment struck a damp upon their spirits. They imputed it to treachery on his part, and suspected, that as he had formerly deserted, he had now betrayed them. At the same time Elizabeth having neglected to supply them in good time with a sum of money, which she had promised to them, and their friends and vassals coming in slowly, they appeared irresolute and disheartened; and as the King, who acted with great vigour, advanced towards them at the head of twenty thousand men, they fled precipitately towards England, and with difficulty made their escape[n]. This rash and feeble attempt produced such effects as usually follow disappointed conspiracies. It not only hurt the cause for which it was undertaken, but added strength and reputation to the King; confirmed Arran's power; and enabled them to pursue their measures with more boldness and greater success. Gowrie was the first victim of their resentment. After a very informal trial, a jury of peers found him guilty of treason, and he was publicly beheaded at Stirling.

BOOK VI. 1584.

To humble the church was the King's next step. But as it became necessary, for this purpose, to call in the aid of the legislative authority, a parliament was hastily summoned: and while so many

May 22. A parliament held.

[n] Home's Hist. of House of Dougl. 376. Spotsw. 330. Calderw. iii. 324, &c.

BOOK VI. 1584.

of the nobles were banished out of the kingdom, or forbidden to appear in the King's presence; while Arran's haughtiness kept some at a distance, and intimidated others; the meeting consisted only of such as were absolutely at the devotion of the court. In order to conceal the laws which were framing from the knowledge of the clergy, the lords of the articles were sworn to secrecy; and when some of the ministers, who either suspected or were informed of the danger, deputed one of their number to declare their apprehensions to the King, he was seized at the palace-gate, and carried to a distant prison. Others, attempting to enter the parliament-house, were refused admittance[o]; and such laws were passed, as totally overturned the constitution and discipline of the church. The refusing to acknowledge the jurisdiction of the privy council; the pretending an exemption from the authority of the civil courts; the attempting to diminish the rights and privileges of any of the three estates in parliament, were declared to be high treason. The holding assemblies, whether civil or ecclesiastical, without the King's permission or appointment; the uttering, either privately or publicly, in sermons or in declamations, any false and scandalous reports against the King, his ancestors, or ministers, were pronounced capital crimes[p].

Severe laws against the church.

When these laws were published at the cross of Edinburgh, according to the ancient custom, Mr. Robert Pont, minister of St. Cuthbert's and one of the lords of session, solemnly protested against them,

[o] Cald. iii. 365.

[p] Parl. 8 Jac. VI.

in the name of his brethren, because they had been passed without the knowledge or consent of the church. Ever since the Reformation, the pulpits and ecclesiastical judicatories had both been esteemed sacred. In the former, the clergy had been accustomed to censure and admonish with unbounded liberty. In the latter, they exercised an uncontrouled and independent jurisdiction. The blow was now aimed at both these privileges. These new statutes were calculated to render churchmen as inconsiderable as they were indigent; and as the avarice of the nobles had stripped them of the wealth, the King's ambition was about to deprive them of the power, which once belonged to their order. No wonder the alarm was universal, and the complaints loud. All the ministers of Edinburgh forsook their charge, and fled into England. The most eminent clergymen throughout the kingdom imitated their example. Desolation and astonishment appeared in every part of the Scottish church; the people bewailed the loss of pastors whom they esteemed; and, full of consternation at an event so unexpected, openly expressed their rage against Arran, and began to suspect the King himself to be an enemy to the reformed religion[q]. BOOK VI. 1584.

[q] Spotsw. 333.

END OF THE SECOND VOLUME.

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